

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**THIRTY-SIXTH DAY'S PROCEEDINGS**

**Thirty-first Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, June 23, 2005

The House of Representatives was called to order at 9:30 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White

Durand  
Erdey  
Fannin  
Farrar  
Total - 104

McDonald  
McVea  
Montgomery  
Morrell

Winston  
Wooton  
Wright

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Dr. Ken Ward

Miss Socorro-Isabel "Corrito" Gealogo sang *God Bless America*.

**Pledge of Allegiance**

Rep. Doerge led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Miss Candra Burgess sang *The National Anthem*.

**Reading of the Journal**

On motion of Rep. Richmond, the reading of the Journal was dispensed with.

On motion of Rep. Pitre, and under a suspension of the rules, the Journal of June 22, 2005, was corrected to reflect him as voting yea on the motion to reject the Conference Committee Report for Senate Bill No. 6.

On motion of Rep. Winston, and under a suspension of the rules, the Journal of June 21, 2005, was corrected to reflect her as voting nay on the concurrence of the Senate amendments to House Bill No. 338.

On motion of Rep. Hebert, the Journal of June 22, 2005, was adopted.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 129—**

BY REPRESENTATIVE JACK SMITH

**A RESOLUTION**

To commend Delta Zeta sorority for its civic contributions, and congratulate them on the success of their local and national programs.

Read by title.

On motion of Rep. Jack Smith, and under a suspension of the rules, the resolution was adopted.

**Senate Concurrent Resolutions on  
Third Reading for Final Consideration**

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 25—**

BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to propose a constitutional amendment to abolish the electoral college and provide for the election of the president by popular vote.

## Page 2 HOUSE

36th Day's Proceedings - June 23, 2005

Read by title.

### Motion

On motion of Rep. Farrar, the resolution was returned to the calendar.

#### **SENATE CONCURRENT RESOLUTION NO. 87—** BY SENATOR JACKSON

##### A CONCURRENT RESOLUTION

To urge and request the Louisiana Secretary of State to study and make recommendations to the legislature on the criteria necessary prior to the submission of a museum into the state system as an official museum of the state.

Read by title.

On motion of Rep. Baylor, the resolution was concurred in.

#### **SENATE CONCURRENT RESOLUTION NO. 128—** BY SENATOR BROOME

##### A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function as a joint committee to study and clarify the issue of whether a social worker licensed under the Social Work Practice Act may continue to provide employee assistance services without additional certification for these services.

Read by title.

On motion of Rep. Dorsey, the resolution was concurred in.

#### **SENATE CONCURRENT RESOLUTION NO. 138—** BY SENATOR JACKSON

##### A CONCURRENT RESOLUTION

To urge and request the legislative auditor to develop by the end of Calendar Year 2006 and Fiscal Year 2006-2007 a uniform system for reporting all sources of revenue and expenditures of all offices within the judicial branch of state government; to request the judicial branch of state government to assist in the development of new audit formats; to request uniformity, standardization, and consistency in terminology and classification for such annual audit reports; to request the auditor to develop reporting schedules to assist the judicial branch with standardized and uniform reporting requirements; and to report to the legislature its progress in developing such reports, and any limitations imposed on the compilation of timely, relevant, and accurate information on the operations of the judicial branch.

Read by title.

On motion of Rep. Baylor, the resolution was concurred in.

#### **SENATE CONCURRENT RESOLUTION NO. 141—** BY SENATOR JACKSON

##### A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to study current financing and reimbursement and methodologies of the Early Steps Program to ensure effective and efficient administration and service delivery.

Read by title.

On motion of Rep. Baylor, the resolution was concurred in.

### Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

### Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

#### **SENATE BILL NO. 6—** BY SENATOR ADLEY

##### AN ACT

To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

Read by title.

On motion of Rep. Montgomery, the vote by which the Conference Committee Report for the above bill was rejected on the previous legislative day was reconsidered.

On motion of Rep. Montgomery, the above Conference Committee Report was recommitted to the Conference Committee.

### Speaker Pro Tempore Dorsey in the Chair

#### **SENATE BILL NO. 185—** BY SENATOR CRAVINS

##### AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT Senate Bill No. 185 by Senator Cravins

June 20, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 185 by Senator Cravins recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments No. 1, 2, and 3, proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 8, 2005 be rejected.
2. That the following amendments to the reengrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, line 2, after "851(O)" insert "and (P)"

#### AMENDMENT NO. 2

On page 1, line 6, change "is" to "and (P) are"

#### AMENDMENT NO. 3

On page 2, delete line 6 and insert the following:

"P. Any person who is eligible for and receives disability retirement benefits from a retirement system created under the laws

o f this state, shall receive the same retiree health care premium subsidy as an individual who has participated for twenty or more years in the Office of Group Benefits health care program. In order to be eligible for the retiree health care premium subsidy, the person shall have participated in health care programs sponsored by the Office of Group Benefits for the number of years sufficient to earn disability retirement benefits."

Respectfully submitted,

Senator Donald R. Cravins  
 Senator Ann Duplessis  
 Senator James David Cain  
 Representative Joe R. Salter  
 Representative John A. Alario, Jr.  
 Representative Charlie DeWitt

Rep. Salter moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Hebert	Ritchie
Baylor	Hill	Robideaux
Bowler	Honey	Romero
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Frith	Morrish	
Total - 97		

#### NAYS

Total - 0

#### ABSENT

Beard	Cazayoux	Winston
Bruce	Heaton	
Carter, R.	Scalise	
Total - 7		

The Conference Committee Report was adopted.

### SENATE BILL NO. 96—

BY SENATORS SCHEDLER AND NEVERS AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BARROW, BAUDOIN, BEARD, BOWLER, BRUNEAU, BURNS, CRAVINS, CROWE, CURTIS, DOVE, DURAND, ERDEY, FANNIN, FAUCHEUX, GREENE, E. GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, JOHNS, KENNARD, KLECKLEY, LABRUZZO, LANCASTER, MCDONALD, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, STRAIN, TOWNSEND, TUCKER, WALKER, WALSWORTH, WHITE AND WINSTON

#### AN ACT

To amend and reenact R.S. 47:1705(B), 1987, and 1992(A)(1), relative to notices related to ad valorem property taxes; to provide for the notice to be given to taxpayers concerning certain property tax assessments and increases in millage rates without voter approval; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT Senate Bill No. 96 by Senator Schedler

June 22, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 96 by Senator Schedler recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 16, 2005 be accepted.
2. That Legislative Bureau Amendments proposed by the Legislative Bureau and adopted by the House of Representatives on June 16, 2005 be accepted.
3. That House Floor Amendments proposed by Representative Arnold and adopted by the House of Representatives on June 20, 2005 be rejected.
4. That the following amendments to the reengrossed bill be adopted:

#### AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert the following:

"(e) The provisions of Subparagraphs (B)(2)(c) and (d) of this Section shall not apply in the parish of Rapides."

#### AMENDMENT NO. 2

On page 5, between lines 2 and 3, insert the following:

"(7) The provisions of this Subsection shall not apply in the parish of Rapides."

#### AMENDMENT NO. 3

On page 5, between lines 20 and 21, insert the following:

"(iii) The provisions of Subsubparagraphs (A)(1)(b)(i) and (ii) of this Section shall not apply in the parish of Rapides."

Respectfully submitted,

## Page 4 HOUSE

36th Day's Proceedings - June 23, 2005

Senator Tom Schedler  
Senator Willie Mount  
Senator Arthur J. "Art" Lentini  
Representative Bryant O. Hammett, Jr.  
Representative Timothy G. Burns  
Representative Rick Farrar

Rep. Burns moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Bowler	Hebert	Ritchie
Bruce	Hill	Robideaux
Bruneau	Honey	Romero
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Jackson	Smith, G.
Carter, R.	Jefferson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 92		

#### NAYS

Arnold  
Total - 1

#### ABSENT

Beard	Heaton	Smith, J.R.—30th
Cazayoux	Hutter	Walker
Doerge	Lambert	Winston
Geymann	Scalise	
Total - 11		

The Conference Committee Report was adopted.

### Speaker Salter in the Chair

#### HOUSE BILL NO. 36—

BY REPRESENTATIVE FARRAR

#### AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 36 By Representative Farrar

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 36 by Representative Farrar, recommend the following concerning the Engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Broome and adopted by the Senate on June 17, 2005, be rejected.
2. That the following amendments to the engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:215.12" delete the comma "," and insert "and R.S. 42:808(A)(10),"

#### AMENDMENT NO. 2

On page 1, line 3, after "screening;" insert "to provide for eligibility for participation in life, health, or other programs sponsored by the Office of Group Benefits;"

#### AMENDMENT NO. 3

On page 2, after line 8, insert the following:

"Section 2. R.S. 42:808(A)(10) is hereby enacted to read as follows:

§808. Eligibility in group programs

A. For the purposes of participating in life, health, or other programs sponsored by the Office of Group Benefits, an employee is defined as:

\* \* \*

(10) Notwithstanding any other provision of law to the contrary, any official holding an appointed position with the West Jefferson Levee District for more than eight years.

\* \* \*

Respectfully submitted,

Representative Rick Farrar  
Representative Karen R. Carter  
Representative Troy Hebert  
Senator Sharon Weston Broome  
Senator James David Cain  
Senator Ben Nevers

Rep. Farrar moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Fauchoux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Greene	Richmond
Barrow	Guillory, E.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	St. Germain
Cazayoux	Johns	Strain
Crane	Katz	Thompson
Cravins	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	Wright
Farrar	Morrish	
Total - 92		

## NAYS

Crowe	Powell, M.
Total - 2	

## ABSENT

Beard	Heaton	Smith, J.R.—30th
Dorsey	Kennard	Toomy
Fannin	LaFleur	
Guillory, M.	McVea	
Total - 10		

The Conference Committee Report was adopted.

**HOUSE BILL NO. 425—**

BY REPRESENTATIVE TRAHAN

## AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N), 53.2(G), and 54(E) and 63(O), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 425 By Representative Trahan**

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 425 by

Representative Trahan, recommend the following concerning the Engrossed bill:

1. That Senate Floor Amendments Nos. 1 through 12 proposed by Senator N. Gautreaux and adopted by the Senate on June 20, 2005, be adopted.
2. That Senate Floor Amendment No. 13 proposed by Senator N. Gautreaux and adopted by the Senate on June 20, 2005, be rejected and that the Senate Committee Amendments proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 18, 2005, be rejected.
3. That Legislative Bureau Amendments Nos. 2 through 5 adopted by the Senate on May 19, 2005, be adopted and Legislative Bureau Amendment No. 1, be rejected.
4. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, change "28:53(N)" to "28:53(N) and (O)"

AMENDMENT NO. 2

On page 1, at the beginning of line 8, change "28:53(N)" to "28:53(N) and (O)"

AMENDMENT NO. 3

On page 1, line 15, after "limitation" and before "shall" insert "of liability"

AMENDMENT NO. 4

On page 1, line 16, after "private" and before "hospital" insert "general"

AMENDMENT NO. 5

On page 1, before line 19, insert the following:

"O. (1) For the purposes of this Chapter, "public and private general hospital personnel" shall mean all persons who provide services or furnish assistance to a public or private general hospital in connection with the operations or delivery of patient care, including employees, independent contractors or volunteers.

(2) Notwithstanding the provisions of this Section or R.S. 28:63, "public and private general hospital personnel" does not include physician or psychologist as defined in R.S. 28:2, for the purpose of nonviolent crisis intervention training."

AMENDMENT NO. 6

On page 2, line 8, after "limitation" and before "shall" insert "of liability"

AMENDMENT NO. 7

On page 2, line 9, after "private" and before "hospital" insert "general"

AMENDMENT NO. 8

On page 2, line 25, delete the comma "," and change "nurse or other health care support" to "or public and private general hospital"

AMENDMENT NO. 9

On page 3, line 4, after "limitation" and before "shall" insert "of liability"

## Page 6 HOUSE

36th Day's Proceedings - June 23, 2005

### AMENDMENT NO. 10

On page 3, line 4, after "private" and before "hospital" insert "general"

### AMENDMENT NO. 11

On page 3, line 11, after "limitation" and before "shall" insert "of liability"

### AMENDMENT NO. 12

On page 3, line 12, after "private" and before "hospital" insert "general"

### AMENDMENT NO. 13

On page 3, at the beginning of line 15, change "(2)" to "(3)"

### AMENDMENT NO. 14

On page 3, line 18, change "damages" to "damage or injury"

### AMENDMENT NO. 15

On page 3, line 19, delete "staff of the"

### AMENDMENT NO. 16

On page 3, line 20, after "hospital" and before "used" change "has" to "personnel have"

### AMENDMENT NO. 17

On page 3, line 23, after "limitation" and before "shall" insert "of liability"

### AMENDMENT NO. 18

On page 3, line 24, after "private" and before "hospital" insert "general"

### AMENDMENT NO. 19

On page 3, at the end of line 26, after the period "." insert the following:

"The training shall be provided by an instructor who has attended a course in crisis intervention taught by a certified instructor.

(4) The provisions of this Subsection shall not affect the provisions of R.S. 40:2113.6 or the Federal Emergency Medical Treatment and Active Labor Act, 42 U.S.C. 1395dd."

### AMENDMENT NO. 20

On page 4, at the beginning of line 1, change "(3)" to "(5)"

Respectfully submitted,

Representative Don Trahan  
Representative Glenn Ansardi  
Representative Monica Walker  
Senator Michael J. Michot  
Senator Nick Gautreaux  
Senator Joe McPherson

Rep. Trahan moved to adopt the Conference Committee Report.

### **ROLL CALL**

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	Montgomery	Wright
Total - 96		

#### NAYS

Total - 0

#### ABSENT

Carter, K.	Kennard	Robideaux
Dorsey	McVea	Smith, J.R.-30th
Heaton	Pitre	
Total - 8		

The Conference Committee Report was adopted.

### **Suspension of the Rules**

On motion of Rep. Baylor, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

### **SENATE BILL NO. 205—** BY SENATOR DUPLESSIS

#### AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3071 through 3076, relative to database security; to provide for legislative findings; to provide definitions; to provide for disclosure upon breach in the security of personal information by agencies and persons; to provide for delayed notification in the event of certain criminal investigations; to provide for means of notification; to provide for the recovery of damages; to provide for financial institution compliance in certain cases; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**Senate Bill No. 205 by Senator Duplessis**

June 22, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 205 by Senator Duplessis recommend the following concerning the Reengrossed bill:

1. That House Floor Amendments proposed by Representative Pinac and adopted by the House of Representatives on June 14, 2005, be adopted.
2. That House Floor Amendments proposed by Representative Martiny and adopted by the House of Representatives on June 14, 2005, be adopted.

Respectfully submitted,

Senator Ann Duplessis  
Senator Ken Hollis  
Senator Diana E. Bajoie  
Representative Gil J. Pinac  
Representative Harold Ritchie

Rep. Pinac moved to adopt the Conference Committee Report.

As a substitute, Rep. Bowler moved to reject the Conference Committee Report.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alexander	Greene	Pitre
Ansardi	Hebert	Powell, M.
Beard	Hutter	Robideaux
Bowler	Johns	Scalise
Bruneau	Katz	Schneider
Burns	Kennard	Smiley
Crane	Kleckley	Smith, G.
Cravins	LaBruzzo	St. Germain
Crowe	LaFleur	Strain
Dartez	Lambert	Triche
Downs	Lancaster	Tucker
Erdey	Martiny	Walker
Fannin	McVea	Walsworth
Faucheux	Montgomery	Wright
Frith	Morrish	
Geymann	Pierre	
Total - 46		

**NAYS**

Mr. Speaker	Dove	Morrell
Alario	Durand	Odinot
Arnold	Farrar	Pinac
Badon	Glover	Powell, T.
Barrow	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Bruce	Hammett	Smith, J.D.—50th

Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Curtis  
Damico  
Daniel  
DeWitt  
Doerge  
Dorsey  
Total - 53

Hill  
Honey  
Hopkins  
Hunter  
Jackson  
Jefferson  
Kenney  
LaFonta  
Marchand  
McDonald

Smith, J.H.—8th  
Smith, J.R.—30th  
Thompson  
Toomy  
Townsend  
Trahan  
Waddell  
White  
Wooton

**ABSENT**

Baldone  
Gallot  
Total - 5

Heaton  
Romero

Winston

The House refused to reject the Conference Committee Report.

Rep. Pinac insisted on his motion to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Durand	Odinot
Alario	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Bruce	Hill	Robideaux
Carter, K.	Honey	Smith, J.D.—50th
Carter, R.	Hopkins	Smith, J.H.—8th
Cazayoux	Hunter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Curtis	Kenney	Thompson
Damico	LaFleur	Toomy
Dartez	LaFonta	Townsend
DeWitt	Marchand	Trahan
Doerge	McDonald	Waddell
Dorsey	Montgomery	White
Downs	Morrell	Wooton
Total - 57		

**NAYS**

Alexander	Frith	Morrish
Ansardi	Greene	Pitre
Beard	Hebert	Powell, M.
Bowler	Hutter	Scalise
Bruneau	Johns	Schneider
Burns	Katz	Smiley
Crane	Kennard	Smith, G.
Crowe	Kleckley	Strain
Dove	LaBruzzo	Triche
Erdey	Lambert	Tucker
Fannin	Lancaster	Walker
Farrar	Martiny	Walsworth
Faucheux	McVea	Wright
Total - 39		

**ABSENT**

Baldone  
Burrell  
Daniel  
Total - 8

Geymann  
Heaton  
Jefferson

Romero  
Winston

The Conference Committee Report was adopted.

### **Suspension of the Rules**

On motion of Rep. Fannin, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

### **Suspension of the Rules**

On motion of Rep. Jack Smith, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### **Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

### **Message from the Senate**

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 795: Senators Mount, Kostelka, and Theunissen.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Message from the Senate**

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 877: Senators Marionneaux, Murray, and Lentini.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Introduction of Resolutions, House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

### **HOUSE CONCURRENT RESOLUTION NO. 218—**

BY REPRESENTATIVES JACK SMITH AND TUCKER AND SENATOR KOSTELKA

#### **A CONCURRENT RESOLUTION**

To memorialize the United States Senate to take such actions as are necessary to pass the constitutional amendment banning the desecration of the American flag which was passed by the United States House of Representatives on June 22, 2005.

Read by title.

On motion of Rep. Jack Smith, and under a suspension of the rules, the resolution was adopted.

### **Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

### **HOUSE BILL NO. 393—**

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

#### **AN ACT**

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

### **CONFERENCE COMMITTEE REPORT**

**House Bill No. 393 By Representatives Bruneau and Alario  
and Senators Murray and Hollis**

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 393 by Representatives Bruneau and Alario and Senators Murray and Hollis, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 13, 2005, be rejected.
2. That the set of Senate Floor Amendments, proposed by Senator Murray and adopted by the Senate on June 20, 2005, be rejected.
3. That the following amendments to the Engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, line 2, after "To" and before the comma ",", delete "amend and reenact R.S. 27:392(B)(3)(d)" and insert "enact R.S. 27:392(C)"

#### AMENDMENT NO. 2



On page 1, line 3, after the semicolon ";," and before "to increase" insert "to provide for the dedication of the revenues derived pursuant to the Act;"

#### AMENDMENT NO. 3

On page 1, line 6, after "establish" delete the remainder of the line and insert "certain special funds in the"

#### AMENDMENT NO. 4

On page 1, line 7, after "monies in the" and before the semicolon ";," change "fund" to "funds"

#### AMENDMENT NO. 5

On page 1, line 10, change "R.S. 27:392(B)(3)(d) is hereby amended and reenacted" to "R.S. 27:392(C) is hereby enacted"

#### AMENDMENT NO. 6

On page 1, delete lines 13 through 22 in their entirety and on page 2, delete lines 1 through 21 in their entirety and insert the following:

"C. Notwithstanding the provisions of Subsection (B) of this Section to the contrary and after complying with the provisions of Paragraphs (1) through (3) of Subsection (B) of this Section, the state treasurer shall in each fiscal year deposit and credit the remaining portion of taxable net slot machine proceeds collected from the licensed eligible facility in Orleans Parish as follows:

(1) Thirty percent, not to exceed one million three hundred thousand dollars, shall be deposited in and credited to the Beautification and Improvement of the New Orleans City Park Fund. Monies in the fund shall be used solely and exclusively for the purposes as specified in R.S. 27:392(B)(7).

(2) Twenty percent, not to exceed three hundred fifty thousand dollars, shall be deposited in and credited to the Greater New Orleans Sports Foundation Fund, hereinafter referred to in this Paragraph as the "fund".

#### AMENDMENT NO. 7

On page 2, delete line 29, and insert the following:

"(3) Twenty percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Algiers Economic Development Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Algiers Economic Development Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(4) Twenty percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the New Orleans Urban Tourism and Hospitality Training in Economic Development Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the New Orleans Tourism Hospitality Training and Economic Development, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(5) Five percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Beautification Project for New Orleans Neighborhoods Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Beautification Project for New Orleans Neighborhoods, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(6) Five percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Friends of NORD Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Friends of NORD, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(7) After making the deposits as required by Paragraph (1) through (6) of this Subsection, the state treasurer shall deposit in and credit to the New Orleans Sports Franchise Assistance Fund which is hereby created in the state treasury and which for purposes of this Paragraph shall be known as the "assistance fund". Monies in the assistance fund shall be appropriated and distributed each fiscal year to the Louisiana Stadium and Exposition District for use only to fund contractual obligations of the state to any National Football League or National Basketball Association franchise located in Orleans Parish. Monies in the assistance fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the assistance fund shall be credited to the assistance fund. Unexpended and unencumbered monies in the assistance fund at the end of the fiscal year shall remain in the assistance fund."

Respectfully submitted,

Representative Emile "Peppi" Bruneau  
Representative John A. Alario, Jr.  
Representative Charlie DeWitt  
Senator Edwin R. Murray  
Senator Francis C. Heitmeier  
Senator Diana E. Bajoie

Rep. Bruneau moved to adopt the Conference Committee Report.

As a substitute, Rep. LaFonta moved to reject the Conference Committee Report.

Rep. Alario moved to table the motion to reject the Conference Committee Report.

Rep. LaFonta objected to tabling the motion to reject.

By a vote of 70 yeas and 26 nays, the motion to reject was tabled.

Rep. Bruneau insisted on his motion to adopt the Conference Committee Report.

YEAS

Mr. Speaker  
Alario

Fannin  
Faucheux

Odinot  
Pierre

## Page 10 HOUSE

36th Day's Proceedings - June 23, 2005

Alexander	Frith	Pinac
Ansardi	Glover	Pitre
Arnold	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Smiley
Bruneau	Hopkins	Smith, J.D.—50th
Burns	Hunter	Smith, J.H.—8th
Burrell	Hutter	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzze	Trahan
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Erdey	Morrish	
Total - 77		

### NAYS

Badon	Geymann	Morrell
Barrow	Gray	Powell, M.
Baudoin	Hill	Richmond
Carter, K.	Honey	Robideaux
Crane	Jackson	Smith, G.
Cravins	Kleckley	Triche
Farrar	LaFonta	Walker
Gallot	Marchand	Wright
Total - 24		

### ABSENT

Carter, R.	LaFleur	Schneider
Total - 3		

The Conference Committee Report was adopted.

### HOUSE BILL NO. 128—

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb), relative to the state sales and use tax; to define manufacturer to include certain exemptions for manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 128 By Representative Hammett

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 128 by Representative Hammett, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 14, 2005, be adopted.
2. That Senate Committee Amendments Nos. 4 and 5 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 14, 2005, be rejected.
3. That the set of Senate Floor Amendments proposed by Senator Barham and adopted by the Senate on June 14, 2005, be rejected.

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
Representative Herman R. Hill  
Representative Lelon Kenney  
Senator Willie Mount  
Senator Robert J. Barham  
Senator Noble E. Ellington

Rep. Hammett moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzze	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Fannin	Morrell	
Farrar	Morrish	
Total - 103		

### NAYS

Total - 0

### ABSENT

Guillory, M.  
Total - 1

The Conference Committee Report was adopted.

### **Suspension of the Rules**

On motion of Rep. Gallot, the rules were suspended in order to take up and consider Introduction of Resolutions at this time.

### **Introduction of Resolutions, House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### **HOUSE RESOLUTION NO. 130—**

BY REPRESENTATIVE GALLOT

#### **A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Arthur "A. D." Smith, Jr., of Grambling.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

#### **HOUSE RESOLUTION NO. 131—**

BY REPRESENTATIVE SALTER

#### **A RESOLUTION**

To memorialize the members of the United States Senate from Louisiana, Senator Mary Landrieu and Senator David Vitter, to continue to work toward enacting federal legislation to ensure that deserving victims of asbestos exposure receive compensation.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

#### **HOUSE RESOLUTION NO. 132—**

BY REPRESENTATIVES BURNS AND WINSTON

#### **A RESOLUTION**

To commend the participants of the Pro-Life Oratory Contest sponsored by St. Tammany Right to Life, particularly Haley Ridgel and Thomas Slattery.

Read by title.

On motion of Rep. Burns, and under a suspension of the rules, the resolution was adopted.

#### **HOUSE CONCURRENT RESOLUTION NO. 219—**

BY REPRESENTATIVE SALTER

#### **A CONCURRENT RESOLUTION**

To urge and request that if the secretary of the Department of Health and Hospitals conducts or contracts for the conduct of any survey of the costs associated with the dispensing of prescriptions in Louisiana, any such survey should contain input from the provider community and should reflect all appropriate costs.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### **Recess**

On motion of Rep. Pinac, the Speaker declared the House at recess until 1:30 P.M.

### **After Recess**

Speaker Salter called the House to order at 2:05 P.M.

### **ROLL CALL**

The roll being called, the following members answered to their names:

#### **PRESENT**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	

Total - 104

#### **ABSENT**

Total - 0

The Speaker announced there were 104 members present and a quorum.

### **Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

#### **HOUSE BILL NO. 569—**

BY REPRESENTATIVE BAUDOIN

#### **AN ACT**

To enact R.S. 47:463.129, relative to motor vehicle prestige license plates; to provide for the creation of a Ladies Auxiliary, V. F. W. prestige license plate; to provide for the issuance of such

## Page 12 HOUSE

36th Day's Proceedings - June 23, 2005

plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 569 By Representative Baudoin

June 20, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 569 by Representative Baudoin, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Transportation, Highways and Public Works Committee and adopted by the Senate on May 31, 2005, be rejected.

Respectfully submitted,

Representative Clara G. Baudoin  
Representative Roy Quezaire, Jr.  
Representative Richard "Rick" Gallot, Jr.  
Senator Donald R. Cravins  
Senator Noble E. Ellington  
Senator Jody Amedee

Rep. Baudoin moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Pinac
Alario	Geymann	Pitre
Alexander	Glover	Powell, M.
Ansardi	Gray	Powell, T.
Arnold	Greene	Quezaire
Badon	Guillory, E.	Richmond
Baldone	Guillory, M.	Ritchie
Barrow	Hammett	Robideaux
Baudoin	Heaton	Romero
Baylor	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Kennard	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth

Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total - 97

McDonald  
McVea  
Morrell  
Morrish  
Odinet  
Pierre

White  
Winston  
Wooton  
Wright

NAYS

Total - 0

ABSENT

Beard  
Bruneau  
Curtis  
Total - 7

Gallot  
Hutter  
Katz

Montgomery

The Conference Committee Report was adopted.

### HOUSE BILL NO. 285— BY REPRESENTATIVE CRAVINS AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 285 By Representative Cravins

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 285 by Representative Cravins, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Cravins and adopted by the Senate on June 19, 2005, be rejected.
2. That the following amendments to the reengrossed bill adopted:

#### AMENDMENT NO. 1

On page 1, line 19, after "than" change "two hundred fifty" to "two hundred"

#### AMENDMENT NO. 2

On page 3, line 1, after "than" change "two hundred fifty" to "two hundred"

Respectfully submitted,

Representative Donald Cravins, Jr.

Representative Roy Quezaire, Jr.  
 Representative Mickey Guillory  
 Senator Donald R. Cravins  
 Senator Noble E. Ellington  
 Senator Robert W. "Bob" Kostelka

Rep. Cravins moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrell	Wright
Total - 102		

#### NAYS

Total - 0

#### ABSENT

Baldone	Damico
Total - 2	

The Conference Committee Report was adopted.

### Recess

On motion of Rep. Alario, the Speaker declared the House at recess upon the call of the House.

### After Recess

Speaker Salter called the House to order at 3:00 P.M.

### ROLL CALL

The roll being called, the following members answered to their names:

#### PRESENT

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 104		

#### ABSENT

Total - 0

The Speaker announced there were 104 members present and a quorum.

### HOUSE BILL NO. 767—

BY REPRESENTATIVE GLOVER

#### AN ACT

To enact R.S. 14:103.1(D) and (E), relative to the emanation of excessive sound or noise; to provide for the surrender of license plates upon conviction and court order; to authorize local governing authorities to adopt ordinances to provide for the regulation of the emanation of excessive sound or noise; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 767 By Representative Glover

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

## Page 14 HOUSE

36th Day's Proceedings - June 23, 2005

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 767 by Representative Glover, recommend the following concerning the Engrossed bill:

1. That Senate Floor Amendments Nos. 1 through 4 proposed by Senator Fields and adopted by the Senate on June 20, 2005, be rejected.
2. That Senate Floor Amendments Nos. 1 through 5 proposed by Senators Lentini and Cain and adopted by the Senate on June 20, 2005, be adopted.

Respectfully submitted,

Representative Cedric B. Glover  
Representative Daniel R. Martiny  
Representative Ernest D. Wooton  
Senator Lydia P. Jackson  
Senator Arthur J. "Art" Lentini

Rep. Glover moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Morrish
Alario	Geymann	Odinet
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Damico	Kenney	Strain
Daniel	Kleckley	Thompson
Dartez	LaBruzzo	Toomy
DeWitt	LaFleur	Townsend
Doerge	Lambert	Trahan
Dove	Lancaster	Triche
Durand	Marchand	Waddell
Erdey	Martiny	Walker
Fannin	McDonald	White
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Frith	Morrell	Wright

Total - 93

#### NAYS

Total - 0

#### ABSENT

Barrow	Dorsey	Pierre
Baylor	Downs	Tucker
Burrell	Jefferson	Walsworth
Curtis	LaFonta	

Total - 11

The Conference Committee Report was adopted.

### HOUSE BILL NO. 429—

BY REPRESENTATIVES HONEY, BADON, BURRELL, K. CARTER, CRANE, CURTIS, DEWITT, FAUCHEUX, GRAY, JEFFERSON, MCDONALD, ODINET, AND M. POWELL  
AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 429 By Representative Honey

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 429 by Representative Honey, recommend the following concerning the Reengrossed bill:

1. That Senate Floor Amendment No. 1 proposed by Senator Broome and adopted by the Senate on June 19, 2005, be rejected.

Respectfully submitted,

Representative Avon Honey  
Representative Carl Crane  
Representative Mike Powell  
Senator Sharon Weston Broome  
Senator Chris Ullo  
Senator Heulette "Clo" Fontenot

Rep. Honey moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pitre
Arnold	Greene	Powell, M.
Badon	Guillory, E.	Powell, T.
Baldone	Hammett	Quezaire
Barrow	Heaton	Richmond

Baudoin	Hebert	Ritchie
Beard	Hill	Robideaux
Bruce	Honey	Romero
Bruneau	Hopkins	Scalise
Burns	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaFleur	Toomy
Dartez	LaFonta	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dove	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	White
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Faucheux	Morrell	
Total - 89		

NAYS

Bowler	Guillory, M.
--------	--------------

Total - 2

ABSENT

Baylor	Gray	Tucker
Burrell	Jefferson	Walsworth
Carter, K.	LaBruzzo	Winston
Dorsey	Pinac	
Downs	Schneider	
Total - 13		

The Conference Committee Report was adopted.

**HOUSE BILL NO. 789—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize certain political subdivisions to enter into agreements for the construction, maintenance, and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the construction and content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to provide for limitation of liability; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 789 By Representative Daniel**

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 789 by Representative Daniel, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments proposed by the Senate Committee on Environmental Quality and adopted by the Senate on June 17, 2005, be adopted.
2. That Senate Floor Amendments proposed by Senator Mount and adopted by the Senate on June 20, 2005, be adopted.
3. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1On page 1, line 17, after "hundred" change "fifty" to "sixty-five"

Respectfully submitted,

Representative William B. Daniel, IV  
 Representative N. J. Damico  
 Representative Michael Jackson  
 Senator Heulette "Clo" Fontenot  
 Senator Willie Mount  
 Senator Jody Amedee

Rep. Daniel moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. Speaker	Frith	Odinot
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	
Faucheux	Morrish	
Total - 97		

NAYS

Schneider  
 Total - 1

ABSENT

# Page 16 HOUSE

36th Day's Proceedings - June 23, 2005

Beard  
Curtis  
Total - 6

Dorsey  
Jefferson

Lambert  
Wright

The Conference Committee Report was adopted.

## **HOUSE BILL NO. 505—** BY REPRESENTATIVES JACK SMITH AND HUTTER AN ACT

To amend and reenact R.S. 39:32.1(E) and (F) and to enact R.S. 17:3129(F), relative to higher education; to provide relative to budget requests for higher education agencies; and to provide for related matters.

Read by title.

### **CONFERENCE COMMITTEE REPORT** **House Bill No. 505 by Representative Jack Smith**

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill 505 by Representative Jack Smith recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments No. 1 through 9 proposed by the Senate Committee on Finance and adopted by the Senate on June 13, 2005 be rejected.
2. That Senate Floor Amendments No. 1 through 4 proposed by Senate Hines and adopted by the Senate on June 16, 2005 be rejected.
3. That the following amendments to the reengrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 39:32.1(E) and (F)" and insert "R.S. 17:3217.1(A)(8) and (9)" and delete "3129(F)" and insert "3217.1(A)(10) and (11) and (C)"

#### AMENDMENT NO. 2

On page 1, line 3, after "education;" insert "to provide relative to the planning for and organization of a certain postsecondary education system" and after "requests for" change "higher" to "certain postsecondary"

#### AMENDMENT NO. 3

On page 1, delete lines 6 through 20 and on page 2, delete lines 1 through 15 and insert the following:

"Section 1. R.S. 17:3217.1(A)(8) and (9) are hereby amended and reenacted and R.S. 17:3217.1(A)(10) and (11) and (C) are hereby enacted to read as follows:

§3217.1. Board of Supervisors of Community and Technical Colleges system; assignment of institution

A. The Louisiana Community and Technical College System is composed of the institutions under the supervision and management of the Board of Supervisors of Community and Technical Colleges as follows:

\* \* \*

(8) Sowela Technical Community College.

(9) L.E. Fletcher Technical Community College.

(10) All public postsecondary technical colleges which provide vocational-technical education.

(11) Any other community college, technical college, or other institution or program now or hereafter under the supervision and management of the Board of Supervisors of Community and Technical Colleges.

\* \* \*

C.(1) In recognition of the critical importance and value of vocational and technical education in the implementation of initiatives, including high school redesign, workforce development, adult learning, and workforce competitiveness, that are necessary to the fulfillment of the constitutional goal of providing learning environments, at all stages of human development, that are designed to promote excellence in order that every individual may develop to his full potential, to comply with the provisions of Article VIII, Section 7.1(A) of the Constitution of Louisiana, and in recognition of the critical importance and high value the services emanating from such initiatives have for the citizens of this state, this Subsection provides for and requires the thoughtful, but timely, reorganization of vocational and technical education services within the Louisiana Community and Technical College System.

(2)(a) Not later than August 16, 2005, the commissioner of higher education shall appoint or assign a person with the appropriate expertise and background to research, prepare, and propose a plan for the organization of the technical division in compliance with this Subsection for presentation to the board in time for the thoughtful consideration of its members and action by the board as required in Paragraph (3) of this Subsection.

(b) In preparing such plan, the person shall consider and account for the population patterns across the state, the enrollment patterns in the various institutions of postsecondary education in the state, the evidence of commuting patterns in each area of the state, the level of accreditation of the various community colleges and other institutions that are part of the Community and Technical College System, and the programs in place at the various institutions.

(c) In researching the plan, the person shall consult with representatives of the students to be served, the faculty of the institutions involved, the businesses and industries in each region, and the members of the legislature in each region.

(d)(i) The plan shall include a proposal to reconfigure the state level technical resources to become the technical division of the Louisiana Community and Technical College System.

(ii) The function of the state level unit shall include:

(aa) Statewide leadership and coordination of rapid-response workforce development.

(bb) Statewide leadership on adult learning with an emphasis on developing the community and technical college capacity as providers of adult literacy and adult education services.

(cc) Professional development and other support services to the institutions providing for technical education and workforce development.

(dd) Curriculum development.



(ee) Advocacy for the technical education mission with the Board of Supervisors of the Louisiana Community and Technical College System.

(3)(a)(i) Not later than February 15, 2006, the Board of Supervisors of the Community and Technical Colleges System shall take action on the proposed plan for technical division as provided in this Section.

(ii) Not later than March 15, 2006, the technical division and the requirements of this Subsection shall be operational.

(b) The technical division shall define regions based on evidence of commuting patterns and regional labor markets.

(c) The administrative and operational leadership structure for each region shall be established according to the variation of the institutions and components that are part of or planned for the region in compliance with the plan approved and made operational by the board of supervisors.

(d) Such structure shall include providing for regional coordinating authority that will bring about the greatest efficiency in administering technical services within the region which shall include the preparation and submission to the Board of Supervisors of the Louisiana Community and Technical College System for its approval an annual proposed operational and capital outlay budget for each institution, based on a budget submitted by the head of each such institution in the region, and a proposed budget for the operation of his office."

Respectfully submitted,

Senator Donald E. Hines  
Senator Mike Smith  
Senator Donald R. Cravins  
Representative Jack D. Smith  
Representative John A. Alario, Jr.  
Representative Wilfred Pierre

Rep. Jack Smith moved to adopt the Conference Committee Report.

#### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Bruce	Heaton	Ritchie
Burrell	Hebert	Romero
Carter, K.	Hill	Smiley
Carter, R.	Honey	Smith, G.
Cazayoux	Hopkins	Smith, J.D.—50th
Crane	Hunter	Smith, J.H.—8th
Cravins	Hutter	Smith, J.R.—30th
Crowe	Jackson	Strain
Curtis	Jefferson	Thompson
Damico	Johns	Townsend
Daniel	Katz	Trahan
Darte	Kennard	Triche
DeWitt	Kenney	Waddell
Doerge	LaFonta	Walker
Dorsey	Lambert	White
Dove	Marchand	Wooton
Downs	McDonald	Wright

Durand  
Fannin  
Total - 82

McVea  
Montgomery

#### NAYS

Badon  
Bowler  
Bruneau  
Burns  
Erdey  
Greene  
Total - 17

Kleckley  
LaBruzzo  
Lancaster  
Martiny  
Powell, M.  
Robideaux  
Scalise  
Schneider  
Toomy  
Tucker  
Walsworth

#### ABSENT

Beard  
Geymann  
Total - 5

LaFleur  
St. Germain  
Winston

The Conference Committee Report was adopted.

### Suspension of the Rules

On joint motion of Reps. Crane and Hutter, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

#### HOUSE BILL NO. 631—

BY REPRESENTATIVES K. CARTER, HEATON, AND RICHMOND  
AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

Read by title.

#### CONFERENCE COMMITTEE REPORT House Bill No. 631 By Representative K. Carter

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 631 by Representative K. Carter, recommend the following concerning the Engrossed bill:

1. That the Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2005, be adopted.
2. That Senate Committee Amendment No. 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2005, be rejected.
3. That the Senate Floor Amendment proposed by Senator Bajoie and adopted by the Senate on June 19, 2005, be adopted.
4. That the following amendment to the Engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 4, line 6, change "five" to "three"

Respectfully submitted,

## Page 18 HOUSE

36th Day's Proceedings - June 23, 2005

Representative Karen R. Carter  
Representative Bryant O. Hammett, Jr.  
Representative Alexander Heaton  
Senator Michael J. Michot  
Senator Willie Mount  
Senator Diana E. Bajoie

Rep. Karen Carter moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Odinot
Alario	Faucheux	Pinac
Alexander	Frith	Pitre
Ansardi	Gallot	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burns	Hunter	Smith, J.D.—50th
Burrell	Hutter	Smith, J.H.—8th
Carter, K.	Jackson	Smith, J.R.—30th
Carter, R.	Jefferson	St. Germain
Cazayoux	Johns	Strain
Crane	Katz	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Curtis	LaBruzzo	Trahan
Damico	LaFleur	Triche
Daniel	LaFonta	Tucker
Dartez	Lambert	Waddell
DeWitt	Lancaster	Walker
Doerge	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	Wright
Fannin	Morrish	
Total - 98		

#### NAYS

Total - 0

#### ABSENT

Dorsey	Glover	McVea
Geymann	Kennard	Pierre
Total - 6		

The Conference Committee Report was adopted.

### HOUSE BILL NO. 835— BY REPRESENTATIVE DANIEL

#### AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells which have been inactive; to provide for an effective date; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 835 By Representative Daniel

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 835 by Representative Daniel, recommend the following concerning the Reengrossed bill:

1. That Amendments Nos. 1 and 2 of the set of three Senate Floor Amendments proposed by Senator Nick Gautreaux and adopted by the Senate on June 21, 2005, be adopted.
2. That Amendment No. 3 of the set of three Senate Floor Amendments proposed by Senator Nick Gautreaux and adopted by the Senate on June 21, 2005, be rejected.
3. That the following amendment be adopted:

#### AMENDMENT NO. 1

On page 2, between lines 11 and 14 and insert in lieu thereof the following:

"Section 2. The provisions of this Act shall apply to any certification granted on or after January 1, 2005."

Respectfully submitted,

Representative William B. Daniel, IV  
Representative Bryant O. Hammett, Jr.  
Representative Roy Hopkins  
Senator Robert Adley  
Senator Nick Gautreaux  
Senator Max T. Malone

Rep. Daniel moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hutter	Smith, G.
Burrell	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain

Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	

Total - 101

NAYS

Total - 0

ABSENT

Carter, K.	Geymann	Hunter
Total - 3		

The Conference Committee Report was adopted.

**SENATE BILL NO. 24—**

BY SENATORS CAIN, CHEEK, DUPRE, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, MOUNT AND SCHEDLER AND REPRESENTATIVES BADON, BALDONE, BAUDOUIN, BRUCE, CRAVINS, DARTEZ, DOWNS, FRITH, GEYMAN, HILL, HUTTER, KATZ, KENNEY, MCDONALD, MONTGOMERY, T. POWELL, JACK SMITH, WALKER, WALSWORTH AND WRIGHT

**AN ACT**

To amend and reenact R.S. 3:1355(A) and to enact R.S. 3:1355(B), R.S. 14:67.19.1 and R.S. 40:962.1.2, relative to certain controlled dangerous substances; to prohibit the unauthorized possession of anhydrous ammonia for use in the sale of certain controlled dangerous substances; to restrict the sale of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers used in the manufacture of methamphetamines; to require that pharmacies maintain records on purchases of certain restricted substances used to manufacture methamphetamine; to provide exceptions for substances formulated so as to prevent conversion of certain active ingredients; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**Senate Bill No. 24 by Senator Cain**

June 21, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 24 by Senator Cain recommend the following concerning the Engrossed bill:

1. That all House Committee Amendments proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 13, 2005 be adopted.
2. That all House Floor Amendments proposed by Representative Johns and adopted by the House of Representatives on June 16, 2005 be adopted.

3. That the House Floor Amendment proposed by Representative Townsend and adopted by the House of Representatives on June 16, 2005 be rejected.
4. That the House Floor Amendment proposed by Representative LaFleur and adopted by the House of Representatives on June 16, 2005 be rejected.
5. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 3, line 17 after "grams" insert "of each stocked product"

AMENDMENT NO. 2

On page 3, line 29 before "record" insert "or electronic" and after "week" insert "and shall preserve the record for fifteen days" and after "The" delete "images and" and after "written" insert "or electronic"

AMENDMENT NO. 3

On page 4, line 1 after "request," insert "The video images shall be available to law enforcement authorities who obtain a search warrant based upon probable cause."

AMENDMENT NO. 4

On page 5, line 12 after "days," insert "The pharmacy shall maintain a written or electronic record of the number of packages sold per week and shall preserve the record for fifteen days. The video images shall be available to law enforcement authorities who obtain a search warrant based upon probable cause."

AMENDMENT NO. 5

On page 5, between lines 14 and 15, insert the following:

"(3) No pharmacy shall keep or maintain more than three packages or nine grams of each stocked product of pseudoephedrine, ephedrine or phenylpropanolamine on any shelf which is accessible to retrieval by a customer at any time nor shall such shelf be more than thirty feet from the direct line of sight of a cash register or counter staffed by one or more store employees at all times."

Respectfully submitted,

Senator Cain  
Senator Michot  
Senator Chaisson  
Representative LaFleur  
Representative Martiny  
Representative Townsend

Rep. LaFleur moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinot
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.

## Page 20 HOUSE

36th Day's Proceedings - June 23, 2005

Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	Winston
Erdey	McVea	Wright
Fannin	Montgomery	
Total - 98		

NAYS

Bowler	Lancaster	Wooton
Kleckley	Morrell	
Total - 5		

ABSENT

White  
Total - 1

The Conference Committee Report was adopted.

### HOUSE BILL NO. 268— BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 27:392(B)(2)(a), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Compulsive and Problem Gaming Fund; to provide for an effective date; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 268 By Representative Burrell

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 268 by Representative Burrell, recommend the following concerning the Engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Cravins and adopted by the Senate on June 20, 2005, be rejected.
2. That the Senate Floor Amendment proposed by Senator Jackson and adopted by the Senate on June 20, 2005, be rejected.

Respectfully submitted,

Representative John A. Alario, Jr.  
Representative Roy Burrell  
Representative Daniel R. Martiny  
Senator Donald R. Cravins  
Senator Ken Hollis  
Senator Lydia P. Jackson

Rep. Burrell moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	White
Dove	Marchand	Winston
Downs	Martiny	Wooton
Durand	McDonald	Wright
Erdey	McVea	
Fannin	Montgomery	
Total - 100		

NAYS

Schneider  
Total - 1

ABSENT

Faucheux	Tucker	Walsworth
Total - 3		

The Conference Committee Report was adopted.

**SENATE BILL NO. 157—**BY SENATORS CHAISSON AND MARIONNEAUX  
AN ACT

To amend and reenact R.S. 14:98(D)(1)(a), the introductory paragraph of R.S. 14:98(D)(1)(b), (c), and (d) and (E)(1)(a), the introductory paragraph of R.S. 14:98(E)(1)(b), (c), and (d) and (I), relative to operating a vehicle while intoxicated; to provide with respect to the criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide for the court's discretion in suspending a portion of the criminal sentence for third, fourth, and subsequent offenses; to provide for the court's discretion in ordering an offender to substance abuse treatment and home incarceration; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**Senate Bill No. 157 by Senator Chaisson**

June 22, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 157 by Senator Chaisson recommend the following concerning the Reengrossed bill:

1. That House Floor Amendments No. 1, 2, 3, 4, 5, 6, and 7 proposed by Representative Baldone and adopted by the House of Representatives June 17, 2005 be rejected.
2. That House Floor Amendments No. 1 and 2 proposed by Representative Morrell and adopted by the House of Representatives June 17, 2005 be rejected.

Respectfully submitted,

Senator Joel T. Chaisson, II  
Senator Jody Amedee  
Senator Lydia P. Jackson  
Representative Daniel R. Martiny  
Representative Eric LaFleur

Rep. LaFleur moved to adopt the Conference Committee Report.

Rep. Wooton moved that the bill be recommitted to the Conference Committee.

Rep. LaFleur objected.

By a vote of 25 yeas and 73 nays, the House refused to recommit the bill to the Conference Committee.

Rep. LaFleur insisted on his motion to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Powell, M.
Alario	Glover	Powell, T.
Alexander	Gray	Quezaire

Baudoin  
Beard  
Bruce  
Burns  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Cravins  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Dorsey  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Fauchaux  
Frith  
Gallot  
Total - 80

Greene  
Guillory, E.  
Guillory, M.  
Hammett  
Hebert  
Hill  
Hopkins  
Jackson  
Johns  
Katz  
Kennard  
Kenney  
Kleckley  
LaBruzzo  
LaFleur  
LaFonta  
Lambert  
Lancaster  
McDonald  
McVea  
Montgomery  
Morrish  
Pierre  
Pinac

Ritchie  
Robideaux  
Romero  
Scalise  
Schneider  
Smiley  
Smith, G.  
Smith, J.D.—50th  
Smith, J.H.—8th  
Smith, J.R.—30th  
St. Germain  
Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Wright

**NAYS**

Ansardi  
Arnold  
Badon  
Baldone  
Barrow  
Baylor  
Bowler  
Bruneau  
Total - 22

Burrell  
Doerge  
Dove  
Heaton  
Honey  
Hunter  
Hutter  
Jefferson

Martiny  
Morrell  
Odinet  
Pitre  
Richmond  
Wooton

**ABSENT**

Marchand  
Total - 2

Winston

The Conference Committee Report was adopted.

**HOUSE BILL NO. 877—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 877 By Representative Townsend**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 877 by Representative Townsend, recommend the following concerning the Engrossed bill:

## 36th Day's Proceedings - June 23, 2005

## Suspension of the Rules

AMENDMENT NO. 2

In Senate Committee Amendment No. 36 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 5, delete lines 40 through 44 in their entirety.

#### AMENDMENT NO. 3

In Senate Committee Amendment No. 37 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 6, line 10, change "300,000" to "460,000"

#### AMENDMENT NO. 4

In Senate Committee Amendment No. 54 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 10, line 9, change "50,000" to "75,000"

#### AMENDMENT NO. 5

In Senate Committee Amendment No. 105 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 14, line 20, change "\$646,176,174" to "\$645,192,127"

#### AMENDMENT NO. 6

In Senate Committee Amendment No. 107 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 14, line 24, change "\$4,988,624,202" to "\$4,987,640,155"

#### AMENDMENT NO. 7

In Senate Committee Amendment No. 111 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 14, line 32, change "\$3,577,161,839" to "\$3,576,472,022"

#### AMENDMENT NO. 8

In Senate Committee Amendment No. 112 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 15, line 2, change "\$4,988,624,202" to "\$4,987,640,155"

#### AMENDMENT NO. 9

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 32, delete lines 8 and 9 in their entirety.

#### AMENDMENT NO. 10

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 33, delete line 22, and insert the following:

"for McKinley High School Alumni Association      \$      55,000"

#### AMENDMENT NO. 11

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 34, line 26, change "Sisters Helping Sisters" to "Sisters Making A Change"

#### AMENDMENT NO. 12

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 36, line 21, change "50,000" to "75,000"

#### AMENDMENT NO. 13

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 38, line 10, change "75,000" to "175,000"

#### AMENDMENT NO. 14

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 38, line 36, change "50,000" to "75,000"

#### AMENDMENT NO. 15

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 39, line 21, change "50,000" to "150,000"

#### AMENDMENT NO. 16

In Senate Committee Amendment No. 259 in the set of Senate Committee Amendments, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2005, on page 42, delete lines 14 through 20 in their entirety.

#### AMENDMENT NO. 17

In Senate Floor Amendment No. 7 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 1, line 23, change "\$973,688,822" to "\$964,782,479"

#### AMENDMENT NO. 18

In Senate Floor Amendment No. 8 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 1, line 27, change "\$239,692,065" to "\$248,304,178"

#### AMENDMENT NO. 19

In Senate Floor Amendment No. 9 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 1, line 31, change "\$51,390,000" to "\$52,090,000"

#### AMENDMENT NO. 20

In Senate Floor Amendment No. 26 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 3, delete line 36 and insert the following:

"nine (9) positions      \$      900,000"

#### AMENDMENT NO. 21

In Senate Floor Amendment No. 33 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 4, line 22, change "160" to "161"

#### AMENDMENT NO. 22

## Page 24 HOUSE

36th Day's Proceedings - June 23, 2005

In Senate Floor Amendment No. 37 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 5, line 13, change "\$2,000,000" to "\$1,850,000"

### AMENDMENT NO. 23

In Senate Floor Amendment No. 48 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 6, line 8, change "\$10,000" to "\$5,000"

### AMENDMENT NO. 24

In Senate Floor Amendment No. 48 in the set of Senate Floor Amendments, proposed by Senator Heitmeier and adopted by the Senate on June 19, 2005, on page 6, line 11, change "\$10,000" to "\$5,000"

### AMENDMENT NO. 25

On page 12, between lines 45 and 46, insert the following:

"Provided, however, that of the funds appropriated herein from the State General Fund by Statutory Dedications out of the Rural Development Fund, an amount of \$200,000, but not to exceed the annual allocation for Terrebonne and Lafourche Parishes, shall be transferred to the Medical Vendor Payments Program for payments to the Leonard J. Chabert Medical Center.

Payable out of the State General Fund (Direct) for the Louisiana Indigent Defense Assistance Board Program for additional support	\$ 1,000,000
---	--------------

Payable out of the State General Fund (Direct) to the Administrative Program for capital disability affairs for operating expenses	\$ 128,475"
--	-------------

### AMENDMENT NO. 26

On page 19, delete lines 46 through 49 in their entirety.

### AMENDMENT NO. 27

On page 20, between lines 5 and 6, insert the following:

"Payable out of the State General Fund (Direct) to the Wellspring Battered Women's Center	\$ 25,000
--	-----------

Payable out of the State General Fund (Direct) to the Battered Women's and Children's Services Program in St. Landry Parish for legal advocates	\$ 25,000
--	-----------

Payable out of the State General Fund (Direct) to the Battered Women's and Children's Services Program in St. Landry Parish for children's advocates	\$ 12,500
---	-----------

Payable out of the State General Fund (Direct) to the Battered Women's and Children's Services Program in Evangeline Parish for children's advocates	\$ 12,500"
---	------------

### AMENDMENT NO. 28

On page 25, line 31, change "150,000" to "125,000"

### AMENDMENT NO. 29

On page 25, between lines 31 and 32, insert the following:

"Payable out of the State General Fund (Direct) to the Parish Councils on Aging Program for the Morehouse Parish Council on Aging Wellness Center for equipment and renovations	\$ 5,500
---	----------

Payable out of the State General Fund (Direct) to the Parish Councils on Aging Program for the Richland Parish Council on Aging	\$ 25,000
--	-----------

Payable out of the State General Fund (Direct) for remodeling and renovation of homes for the elderly and disabled in New Orleans in Senate District No. 5	\$ 100,000
---	------------

Payable out of the State General Fund (Direct) for remodeling and renovation of homes for the elderly and disabled in New Orleans in Senate District No. 2	\$ 50,000
---	-----------

Payable out of the State General Fund (Direct) for OIC of New Orleans Housing Renovations for the elderly or disabled	\$ 75,000"
---	------------

### AMENDMENT NO. 30

On page 33, line 41, change "20,000" to "25,000"

### AMENDMENT NO. 31

On page 34, between lines 33 and 34, insert the following:

"Payable out of the State General Fund (Direct) to the Museum and Other Operations Program for the Aviation and Military Museum of Louisiana, Inc., in the event that Senate Bill No. 215 of the 2005 Regular Session of the Legislature is enacted into law	\$ 185,000"
--	-------------

### AMENDMENT NO. 32

On page 45, after line 56, insert the following:

"Payable out of the State General Fund (Direct) to the Agricultural and Environmental Sciences Program for operational expenses related to the treatment of Formosan termites	\$ 243,145"
---	-------------

### AMENDMENT NO. 33

On page 50, line 39, change "50,000" to "25,000"

### AMENDMENT NO. 34

On page 51, delete lines 9 through 14 in their entirety.

### AMENDMENT NO. 35

On page 51, between lines 29 and 30, insert the following:

"Payable out of the State General Fund (Direct) to the Business Development Program for the Consortium for Education Research and Technology of North Louisiana	\$ 75,000
--	-----------

Payable out of the State General Fund (Direct) to the Business Development Program for northwest Louisiana economic development	\$ 150,000
---	------------



Payable out of the State General Fund (Direct)  
to the Business Development Program for  
economic development efforts of Carrollton  
Community Economic Development Corporation \$ 25,000

Payable out of the State General Fund (Direct)  
to the Business Development Program for the  
Small Business Development Center at Louisiana  
Tech University \$ 65,000

Payable out of the State General Fund (Direct)  
to the Business Development Program for the  
Essence Music Festival \$ 100,000

Payable out of the State General Fund (Direct)  
to the Business Development Program for the IFA  
RedFish Tour \$ 50,000"

#### AMENDMENT NO. 36

On page 56, line 54, change "100,000" to "90,000"

#### AMENDMENT NO. 37

On page 57, between lines 4 and 5, insert the following:

"Payable out of the State General Fund (Direct)  
to the Arts Program for operational expenses \$ 95,218"

#### AMENDMENT NO. 38

On page 64, delete lines 12 through 15 in their entirety.

#### AMENDMENT NO. 39

On page 86, between lines 28 and 29, insert the following:

"FOR:  
Traffic Enforcement Program, including  
nine (9) positions \$ 551,757  
Criminal Investigation Program,  
including two (2) positions \$ 158,306  
Gaming Enforcement Program,  
including four (4) positions \$ 260,157  
TOTAL EXPENDITURES \$ 970,220

FROM:  
State General Fund by:  
Fees and Self-generated Revenues \$ 970,220

TOTAL MEANS OF FINANCING \$ 970,220

Payable out of the State General Fund by  
Statutory Dedications from the Video Draw  
Poker Device Fund from prior year collections  
for acquisition of a new video poker  
computer monitoring system \$ 2,862,500"

#### AMENDMENT NO. 40

On page 93, line 1, change "\$38,194,840" to "\$38,379,840"

#### AMENDMENT NO. 41

On page 95, between lines 37 and 38, insert the following:

"Payable out of the State General  
Fund (Direct) for operational expenses \$ 550,000"

#### AMENDMENT NO. 42

On page 105, line 15, change "100,000" to "65,000"

#### AMENDMENT NO. 43

On page 105, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct)  
for the Louisiana Emergency Response Network  
(LERN) \$ 500,000"

#### AMENDMENT NO. 44

On page 108, between lines 27 and 28, insert the following:

"Provided, however, that the existing genetic testing programs with  
Tulane University Health Sciences Center for patient evaluation,  
management, and consultation with the newborn screening laboratory  
on positive newborn screens shall remain at the Fiscal Year 2005  
level."

#### AMENDMENT NO. 45

On page 123, after line 55, insert the following:

"To be transferred to the Louisiana State University -  
Baton Rouge for the purpose of providing truancy  
and assessment intervention services for at-risk,  
school-aged children \$ 700,000"

#### AMENDMENT NO. 46

On page 124, after line 47, insert the following:

"Payable out of the State General  
Fund (Direct) to the Client Services Program  
for teen pregnancy prevention efforts of  
the Kujui Center located in the St. Thomas  
area of New Orleans \$ 25,000"

#### AMENDMENT NO. 47

On page 158, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct)  
for classified merits, group insurance, and  
retirement costs to be allocated to public  
postsecondary institutions based on a plan  
developed by the Board of Regents and  
approved by the Division of Administration \$ 2,910,606

Payable out of the State General Fund by  
Statutory Dedications from the Louisiana  
Quality Education Support Fund to the  
Board of Regents for Endowed Chairs and  
Professorships \$ 5,300,000"

#### AMENDMENT NO. 48

On page 162, between lines 13 and 14, insert the following:

"Payable out of the State General  
Fund by Interagency Transfer for the  
Truancy Assessment and Service  
Centers (TASC) operations associated  
with Temporary Assistance for  
Needy Families TANF) \$ 700,000"

#### AMENDMENT NO. 49

On page 168, between lines 42 and 43, insert the following:

## Page 26 HOUSE

36th Day's Proceedings - June 23, 2005

"Payable out of the State General Fund (Direct)  
to the Louisiana State University Agricultural  
Center for Vocational Agricultural Education \$ 150,000"

### AMENDMENT NO. 50

On page 171, line 36, change "Agriculture" to "Agricultural"

### AMENDMENT NO. 51

On page 171, delete lines 39 and 40 in their entirety.

### AMENDMENT NO. 52

On page 178, delete lines 9 and 10 in their entirety.

### AMENDMENT NO. 53

On page 188, delete lines 34 and 35 in their entirety.

### AMENDMENT NO. 54

On page 198, delete lines 42 and 43 in their entirety.

### AMENDMENT NO. 55

On page 224, line 12, change "150,000" to "125,000"

### AMENDMENT NO. 56

On page 224, line 15, change "150,000" to "125,000"

### AMENDMENT NO. 57

On page 224, line 21, change "70,000" to "105,000"

### AMENDMENT NO. 58

On page 224, after line 34, insert the following:

"Payable out of the State General Fund (Direct)  
to the Adult Education Program for additional  
funding for the Jobs For America's Graduates  
Louisiana (JAG-LA) Program \$ 500,000"

Payable out of the State General Fund (Direct)  
to the Disadvantaged or Disabled Student  
Support Program for the Very Special Arts  
Program \$ 50,000"

### AMENDMENT NO. 59

On page 245, line 28, change "600,000" to "720,000"

### AMENDMENT NO. 60

On page 245, line 36, change "4,281,250" to "4,401,250"

### AMENDMENT NO. 61

On page 245, line 44, change "600,000" to "720,000"

### AMENDMENT NO. 62

On page 245, line 51, change "4,281,250" to "4,401,250"

### AMENDMENT NO. 63

On page 246, delete lines 8 and 9 in their entirety and insert the following:

"to the town of Oak Grove for downtown  
development \$ 15,000"

### AMENDMENT NO. 64

On page 246, delete lines 11 and 12 in their entirety and insert the following:

"to the town of Rayville for downtown  
development \$ 12,000"

### AMENDMENT NO. 65

On page 246, delete lines 14 and 15 in their entirety and insert the following:

"to the town of Lake Providence for downtown  
development \$ 12,000"

### AMENDMENT NO. 66

On page 246, delete lines 17 and 18 in their entirety and insert the following:

"to the town of Bastrop for downtown  
development \$ 70,700"

### AMENDMENT NO. 67

On page 246, line 43, change "300,000" to "275,000"

### AMENDMENT NO. 68

On page 247, delete line 25 and insert "to the Life Economic  
Development" and on line 26, change "Foundation" to "Corporation"

### AMENDMENT NO. 69

On page 247, line 42, change "50,000" to "100,000"

### AMENDMENT NO. 70

On page 247, delete lines 43 and 44 in their entirety.

### AMENDMENT NO. 71

On page 248, line 3, change "50,000" to "90,000"

### AMENDMENT NO. 72

On page 248, delete lines 4 through 6 in their entirety.

### AMENDMENT NO. 73

On page 248, line 21, change "to" to "and"

### AMENDMENT NO. 74

On page 249, line 20, change "75,000" to "87,000"

### AMENDMENT NO. 75

On page 249, line 27, change "Center" to "Museum, Inc."

### AMENDMENT NO. 76

On page 249, line 44, change "20,000" to "25,000"

### AMENDMENT NO. 77

On page 250, line 3, change "25,000" to "150,000"

AMENDMENT NO. 78

On page 250, delete lines 20 through 22 in their entirety.

AMENDMENT NO. 79

On page 251, line 7, change "154,000" to "129,000"

AMENDMENT NO. 80

On page 251, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct) to the East Feliciana Parish Police Jury for improvements to Lemon Road	\$	50,000
Payable out of the State General Fund (Direct) to the Spring Street Historical Museum in Shreveport	\$	50,000
Payable out of the State General Fund (Direct) to the Red River Film Society in Shreveport	\$	25,000
Payable out of the State General Fund (Direct) to the Twin City Colored Community Welfare	\$	75,000
Payable out of the State General Fund (Direct) to the New Orleans Police Department - 7 <sup>th</sup> District Police Station	\$	9,900
Payable out of the State General Fund (Direct) to Amistad Research Center	\$	25,000
Payable out of the State General Fund (Direct) to the Living Witness Community Social Service for Children's Café for Healthy Education	\$	10,000
Payable out of the State General Fund (Direct) to the village of Rosedale	\$	75,000
Payable out of the State General Fund (Direct) to the CENLA Sportsplex for recreation improvements	\$	150,000
Payable out of the State General Fund (Direct) to the Pontilly Association for Pontchartrain Park	\$	30,000
Payable out of the State General Fund (Direct) to Waking-Up, Inc.	\$	25,000
Payable out of the State General Fund (Direct) for the New Orleans Jazz Orchestra/Lincoln Center at Congo Square	\$	25,000
Payable out of the State General Fund (Direct) to the city of New Orleans for fire, police, sanitation, health, transportation, and traffic services occasioned by the presence of the official gaming establishment in New Orleans	\$	1,000,000"

Respectfully submitted,

Representative John A. Alario, Jr.  
Representative Joe R. Salter  
Representative Willie Hunter, Jr.  
Senator Donald E. Hines  
Senator Francis C. Heitmeier  
Senator Diana E. Bajoie

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fannin	McVea
Alario	Farrar	Montgomery
Alexander	Faucheux	Morrell
Ansardi	Frith	Morrish
Arnold	Gallot	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac
Barrow	Guillory, E.	Pitre
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Quezaire
Bowler	Heaton	Richmond
Bruce	Hebert	Ritchie
Burrell	Hill	Robideaux
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Curtis	Jefferson	Strain
Damico	Katz	Thompson
Daniel	Kennard	Toomy
Dartez	Kenney	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Walker
Dove	Lancaster	White
Downs	Marchand	Winston
Durand	Martiny	Wooton
Erdey	McDonald	Wright
Total - 87		

**NAYS**

Beard	Johns	Schneider
Bruneau	Kleckley	Smith, J.H.—8th
Burns	LaBruzzo	Tucker
Crowe	Powell, M.	Waddell
Geymann	Romero	Walsworth
Greene	Scalise	
Total - 17		

**ABSENT**

Total - 0

The Conference Committee Report was adopted.

**Suspension of the Rules**

On joint motion of Reps. Kenney and Thompson, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 842 By Representative Alario**

## Page 28 HOUSE

36th Day's Proceedings - June 23, 2005

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 842 by Representative Alario, recommend the following concerning the Reengrossed bill:

1. That the following amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, be adopted: Nos. 1 through 14 and 16 through 69.
2. That the following amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, be rejected: Nos. 15 and 70.
3. That the following amendments in the set of 40 Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on June 20, 2005, be adopted: Nos. 1 through 34; 36 through 40.
4. That Amendment No. 35 in the set of 40 Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on June 20, 2005, be rejected.
5. That the set of two Senate Floor amendments proposed by Senator Ellington, et al and adopted by the Senate on June 20, 2005, be rejected.
6. That the following amendments in the set of six Senate Floor Amendments proposed by Senator Ellington, et al and adopted by the Senate on June 20, 2005, be adopted: Nos. 1 through 4 and 6.
7. That Amendment No. 5 in the set of six Senate Floor Amendments proposed by Senator Ellington, et al and adopted by the Senate on June 20, 2005, be rejected.

### AMENDMENT NO. 1

In Senate Committee Amendment No. 43 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 6, between lines 26 and 27, insert the following:

"(2) The sum of Nine Hundred Thousand and No/100 (\$900,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of Jason Hebert, et al in the suit entitled "Jason Hebert and Julie Cascio, individually and on behalf of her minor child, Austin Hebert, and Jamie Busby, on behalf of her minor child, Brendon Hebert", bearing Number 60,174 on the docket of the Eighteenth Judicial District Court, parish of Iberville, state of Louisiana."

### AMENDMENT NO. 2

In Senate Committee Amendment No. 43 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 6, at the beginning of line 27, change ""(2)" to "(3)"

### AMENDMENT NO. 3

In Senate Committee Amendment No. 43 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 6, at the beginning of line 34, change "(3)" to "(4)"

### AMENDMENT NO. 4

In Amendment No. 1 in the set of 40 Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on June 20, 2005, on page 1, line 4, change "\$3,000,000" to "\$5,000,000"

### AMENDMENT NO. 5

In Amendment No. 6 in the set of six Senate Floor Amendments proposed by Senator Ellington, et al and adopted by the Senate on June 20, 2005, on page 2, at the beginning of line 16, after "Section" and before "of this" change "12. Section 11" to "15. Section 14"

### AMENDMENT NO. 6

On page 11, between lines 5 and 6, insert the following:

"Payable out of the State General Fund (Direct)  
for deposit into the Louisiana Medical Assistance  
Trust Fund \$ 6,762,113

Payable out of the State General Fund (Direct)  
for deposit into the TEACH Fund \$ 12,500,000"

### AMENDMENT NO. 7

On page 11, line 7, change "11,076,169" to "10,076,169"

### AMENDMENT NO. 8

On page 11, line 8, change "11,076,169" to "10,076,169"

### AMENDMENT NO. 9

On page 11, line 10, change "10,210,186" to "9,210,186"

### AMENDMENT NO. 10

On page 11, line 15, change "11,076,169" to "10,076,169"

### AMENDMENT NO. 11

On page 16, at the beginning of line 38, change "AA." to "AA.(1)"

### AMENDMENT NO. 12

On page 16, between lines 44 and 45, insert the following:

"AA.(2) Notwithstanding any provision of R.S. 49:112 to the contrary, the sum of Three Hundred Seventy-five Thousand and No/100 (\$375,000.00) is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in favor of George Reeder and Elva Reeder in the suit entitled "George Reeder and Elva Reeder v. The Laks Corporation, et al", bearing Number 33,662 on the docket of the Twenty-third Judicial District Court, parish of Ascension, state of Louisiana."

### AMENDMENT NO. 13

On page 19, line 14, change "10,000,000" to "7,500,000"

### AMENDMENT NO. 14

On page 19, line 20, change "12,000,000" to "9,000,000"

### AMENDMENT NO. 15

On page 25, line 1, after "Treasurer -" delete the remainder of the line, and on line 2, delete "and Control" and insert "Debt Management"

AMENDMENT NO. 16

On page 26, at the beginning of line 22, change "\$550,338" to "\$712,451"

AMENDMENT NO. 17

On page 26, at the end of line 24, change "\$141,425" to "\$539,095"

AMENDMENT NO. 18

On page 27, between lines 23 and 24, insert the following:

"Section 14.

## 19-681 SUBGRANTEE ASSISTANCE

Payable out of the State General Fund by Statutory Dedications out of the TEACH Fund to the School and Community Support Program for a one-time salary supplement for certain certificated personnel, in the event that House Bill No. 461 of the 2005 Regular Session of the Legislature, which establishes the TEACH Fund, is enacted into law \$ 12,500,000

Provided, however, that the Department of Education shall allocate a portion of these monies to those public school districts whose certificated personnel would not have otherwise received the average \$530 pay increase pursuant to Senate Concurrent Resolution No. 125 of the 2005 Regular Session of the Legislature. The one-time salary supplements provided to certificated personnel in these public school districts shall not exceed \$530.

Provided, further, that the Department of Education shall allocate a portion of these monies to the following budget units and activities in order to provide a one-time salary supplement to certificated personnel: the LSU Lab School; the Southern University Lab School; Type 2 Charter Schools; Type 5 Charter Schools; the Louisiana School for the Visually Impaired; the Louisiana School for the Deaf; the Louisiana Special Education Center; the Louisiana School for Math, Science and the Arts; the New Orleans Center for the Creative Arts – Riverfront; Special School Districts; and the Department of Public Safety and Corrections, Office of Youth Development. The one-time salary supplements provided to certificated personnel in these budget units and activities shall equal \$530.

Provided, further, that any supplemental payments made in subsequent fiscal periods to the certificated personnel covered herein shall require additional appropriations."

Respectfully submitted,

Representative John A. Alario, Jr.  
Representative Willie Hunter  
Representative Joe Salter  
Senator Diana Bajoie  
Senator Francis Heitmeier  
Senator Donald Hines

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac

Alexander  
Ansardi  
Arnold  
Badon  
Baldone  
Barrow  
Baudoin  
Baylor  
Beard  
Bowler  
Bruce  
Bruneau  
Burns  
Burrell  
Carter, K.  
Crane  
Cravins  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Frith

Total - 100

Glover  
Gray  
Greene  
Guillory, E.  
Guillory, M.  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hunter  
Hutter  
Jackson  
Jefferson  
Johns  
Katz  
Kennard  
Kenney  
Kleckley  
LaBruzzo  
LaFleur  
LaFonta  
Lancaster  
Marchand  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Odinet

Pitre  
Powell, M.  
Powell, T.  
Quezaire  
Richmond  
Ritchie  
Robideaux  
Romero  
Scalise  
Schneider  
Smiley  
Smith, G.  
Smith, J.D.–50th  
Smith, J.H.–8th  
Smith, J.R.–30th  
St. Germain  
Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Winston  
Wooton  
Wright

NAYS

Total - 0

ABSENT

Carter, R.  
Cazayoux  
Total - 4

Faucheux  
Lambert

The Conference Committee Report was adopted.

**Explanation of Vote**

Rep. Cazayoux disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

**Explanation of Vote**

Rep. Lambert disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

**HOUSE BILL NO. 461—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**

# Page 30 HOUSE

36th Day's Proceedings - June 23, 2005

## House Bill No. 461 By Representative Alario

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 461 by Representative Alario, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, be adopted.
2. That the set of Senate Floor amendments proposed by Senator Heitmeier and adopted by the Senate on June 20, 2005, be adopted.
3. That the set of Senate Floor amendments proposed by Senator Ellington, et al., and adopted by the Senate on June 20, 2005, be adopted.
4. That the following amendments to the Reengrossed bill be adopted:

### AMENDMENT NO. 1

On page 4, line 3, after "to transfer" and before "Dollars" change "One Million and No/100 (\$1,000,000)" to "Two Million Three Hundred Fifty Thousand and No/100 (\$2,350,000)"

### AMENDMENT NO. 2

In Senate Floor Amendment No. 1, proposed by Senator Ellington, et al., and adopted by the Senate on June 20, 2005, on page 1, line 22, after "pay increases" delete the remainder of the line and insert "salary increases for certificated personnel."

Respectfully submitted,

Representative John A. Alario, Jr.  
Representative Joe R. Salter  
Representative Willie Hunter, Jr.  
Senator Francis C. Heitmeier  
Senator Donald E. Hines

Rep. Alario moved to adopt the Conference Committee Report.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux

Bruce	Hebert	Scalise
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	Kleckley	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	LaFonta	Walker
Dorsey	Lambert	Walsworth
Dove	Lancaster	White
Downs	Marchand	Winston
Durand	Martiny	Wooton
Erdey	McDonald	Wright
Fannin	McVea	

Total - 101

NAYS

Romero

Total - 1

ABSENT

Richmond

Schneider

Total - 2

The Conference Committee Report was adopted.

## HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY  
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

## CONFERENCE COMMITTEE REPORT House Bill No. 2 By Representative Hammett

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 2 by Representative Hammett, recommend the following concerning the Re-Reengrossed bill:

1. That the Senate Committee Amendments Nos. 1 through 8, 10 through 118, and 120 through 306 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, be adopted.
2. That the Senate Committee Amendments No. 9 and 119 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, be rejected.

3. That Senate Committee Amendments Nos. 1 through 45 proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, be adopted.
4. That the set of five Senate Floor Amendments proposed by Senator Mount and adopted by the Senate on June 20, 2005, be adopted.
5. That the set of thirteen Senate Floor Amendments proposed by Senators Mount and Heitmeier and adopted by the Senate on June 20, 2005, be adopted.
6. That the set of seventeen Senate Floor Amendments proposed by Senator Mount and adopted by the Senate on June 20, 2005, be adopted.
7. That the set of four Senate Floor Amendments proposed by Senator Malone and adopted by the Senate on June 20, 2005, be adopted.
8. That the Senate Floor Amendment proposed by Senator Barham and adopted by the Senate on June 20, 2005, be adopted.
9. That the set of two Senate Floor Amendments proposed by Senator Bajoie and adopted by the Senate on June 20, 2005, be adopted.
10. That the Senate Floor Amendment proposed by Senator McPherson and adopted by the Senate on June 20, 2005, be adopted.
11. That the Senate Floor Amendment proposed by Senator Dupre and adopted by the Senate on June 20, 2005, be adopted.
12. That the set of two Senate Floor Amendments proposed by Senator Murray and adopted by the Senate on June 20, 2005, be adopted.
13. That the Senate Floor Amendment proposed by Senator Jones and adopted by the Senate on June 20, 2005, be adopted.
15. That the following amendments to the Re-Reengrossed bill be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 8, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 2, between lines 26 and 27, and insert the following:

"Provided that the Department of Economic Development, in consultation with the Department of Transportation and Development and with the Division of Administration, and through formal agreement with the Louisiana Airport Authority, shall insure that the scope and execution of the environmental, market, business, and planning studies and analyses related to the proposed multimodal transportation project meet the needs of all involved parties. Provided further that the Department of Economic Development shall publicly issue reports of these studies and analyses by March 1, 2006, and present its findings and recommendations to a joint meeting of the House Ways and Means and the Senate Revenue and Fiscal Affairs Committees by March 15, 2006."

AMENDMENT NO. 2

In Senate Committee Amendment No. 28, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 6, at the end of line 15, change "\$500,000" to "\$1,500,000" and at the end of line 19, change "\$21,475,000" to "\$22,475,000"

AMENDMENT NO. 3

In Senate Committee Amendment No. 38, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 8, delete lines 6 and 7, and insert the following:

"Priority 5	<u>\$ 7,895,000"</u>
-------------	----------------------

AMENDMENT NO. 4

In Senate Committee Amendment No. 58, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 12, delete lines 15 through 24, and insert the following:

"Priority 2	\$ 160,000
Priority 3	\$ 400,000
Priority 5	\$ 540,000
Total	<u>\$ 1,100,000"</u>

AMENDMENT NO. 5

In Senate Committee Amendment No. 99, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 22, line 35, change "Feasibility" to "Feasibility"

AMENDMENT NO. 6

In Senate Committee Amendment No. 100, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 22, line 46, change "\$3,280,000" to "\$3,280,000"

AMENDMENT NO. 7

In Senate Committee Amendment No. 101, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 23, at the end of line 2, change "\$785,000" to "\$785,000"

AMENDMENT NO. 8

In Senate Committee Amendment No. 142, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 32, at the end of line 41, change "\$155,000" to "\$155,000"

AMENDMENT NO. 9

In Senate Committee Amendment No. 168, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 39, delete lines 8 and 9, and insert the following:

"Priority 2	\$ 100,000
Priority 5	\$ 255,000
Total	<u>\$ 355,000"</u>

AMENDMENT NO. 10

In Senate Committee Amendment No. 168, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 39, on line 18, change "Priority 3" to "Priority 5"

AMENDMENT NO. 11

In Senate Committee Amendment No. 172, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate

## Page 32 HOUSE

36th Day's Proceedings - June 23, 2005

on June 17, 2005, on page 39, line 49, change "\$1,400,000" to "\$1,450,000"

### AMENDMENT NO. 12

In Senate Committee Amendment No. 184, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 42, line 23, change "\$10,000" to "\$100,000"

### AMENDMENT NO. 13

In Senate Committee Amendment No. 187, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 43, delete line 7, and insert the following:

Priority 2	\$ 500,000
Priority 5	\$ 840,000
Total	<u>\$ 1,340,000</u>

### AMENDMENT NO. 14

In Senate Committee Amendment No. 192, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 44, delete lines 22 and 23, and insert the following:

"Priority 2	\$ 150,000"
-------------	-------------

### AMENDMENT NO. 15

In Senate Committee Amendment No. 206, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 47, line 38, change "(Webster)" to "(Webster)"

### AMENDMENT NO. 16

In Senate Committee Amendment No. 221, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 50, on line 45, change "\$100,000" to "\$400,000", and on line 47, change "\$500,000" to "\$800,000"

### AMENDMENT NO. 17

In Senate Committee Amendment No. 248, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 55, at the end of line 50, change "\$250,000" to "\$250,000"

### AMENDMENT NO. 18

In Senate Committee Amendment No. 268, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 59, delete line 40, and insert the following:

"On page 66, between lines 39 and 40, insert the following:"

### AMENDMENT NO. 19

In Senate Committee Amendment No. 269, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 60, line 3, change "Reparis," to "Repairs,"

### AMENDMENT NO. 20

In Senate Committee Amendment No. 271, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 60, line 43, change "\$4,500,000" to "\$4,450,000"

### AMENDMENT NO. 21

In Senate Committee Amendment No. 284, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 63, delete line 1, and insert the following:

"(1216) Restoration and Master Site Planning"

### AMENDMENT NO. 22

In Senate Committee Amendment No. 292, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, on page 64, line 30, change "SYSEM," to "SYSTEM,"

### AMENDMENT NO. 23

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 1, delete lines 31 through 35, insert the following:

"Payable from State General Fund (Direct)	\$ 1,000,000
Payable from Fees and Self Generated Revenues	\$ 500,000
Payable from General Obligation Bonds	
Priority 2	\$ 4,800,000
Priority 5	\$ 4,450,000
Total	<u>\$10,750,000"</u>

### AMENDMENT NO. 24

In Senate Committee Amendment No. 38, proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 7, line 34, change "State" to "Stage"

### AMENDMENT NO. 25

In Senate Committee Amendment No. 42, proposed by the Senate Committee on Finance and adopted by the Senate on June 19, 2005, on page 8, line 19, change "BEAUREGUARD" to "BEAUREGARD" and on lines 22 and 25, change "Beaureguard" to "Beauregard"

### AMENDMENT NO. 26

In Senate Floor Amendment No. 1 of the set of five Senate Floor Amendments, proposed by Senator Mount and adopted by the Senate on June 20, 2005, delete lines 2 and 3, and insert the following:

"On page 63, delete lines 14 and 15, and insert the following:

Payable from State General Fund (Direct)	\$ 100,000"
--	-------------

### AMENDMENT NO. 27

In Senate Floor Amendment No. 3 of the set of thirteen Senate Floor Amendments, proposed by Senators Mount and Heitmeier and adopted by the Senate on June 20, 2005, on page 1, delete the following:

"Payable from General Obligation Bonds	<u>\$ 12,000,000</u>
Total	<u>\$12,877,000"</u>

and insert the following:

"Payable from General Obligation Bonds	
Priority 5	<u>\$ 12,000,000</u>
Total	<u>\$12,877,000"</u>

### AMENDMENT NO. 28

In Senate Floor Amendment No. 10 of the set of seventeen Senate Floor Amendments, proposed by Senator Mount and adopted by the



Senate on June 20, 2005, on page 2, line 14, change "Terrebonne)" to "(Terrebonne)" and at the end of line 17, change "\$1,000,000" to "\$4,000,000", and at the end of line 18, change "\$2,000,000" to "\$5,000,000"

#### AMENDMENT NO. 29

In Senate Floor Amendment No. 4 of the set of four Senate Floor Amendments, proposed by Senator Malone and adopted by the Senate on June 20, 2005, at the end of line 28, insert the following:

"Provided, however, in the event that a final, non-appealable judgment in any such litigation filed prior to June 14, 2005, has not been rendered on or before June 30, 2006, these restrictions on the expenditure of funds for the Convention Center Hotel shall be null, void and of no effect and such funds can be expended on the Convention Center Hotel. Notwithstanding any provisions of this Bill to the contrary, if the City of Shreveport is successful in the aforementioned litigation, the City shall be entitled to reimbursement from the State for any qualifying expenditures made for the project prior to the granting of lines of credit and prior to approval by Facility Planning and Control, unless the Commissioner of Administration is advised by bond counsel to the State that such reimbursements may violate federal law."

#### AMENDMENT NO. 30

In the Senate Floor Amendment proposed by Senator Jones and adopted by the Senate on June 20, 2005, at the end of line 6, after "delegation" and before the period "." insert the following:

"and no funding shall be expended on the project provided for in this Act under the name of the "Kansas Connector/Corridor Preservation" until the precise route of the project has been finalized and thirty days have elapsed since the public has been provided notice of the route."

#### AMENDMENT NO. 31

On page 39, delete lines 36 through 42, and insert the following:

"Payable from General Obligation Bonds	
Priority 2	\$ 250,000
Priority 3	\$ 500,000
Priority 4	\$ 500,000
Priority 5	\$ 350,000
Total	<u>\$ 1,600,000"</u>

#### AMENDMENT NO. 32

On page 47, delete lines 27 through 33 in their entirety.

#### AMENDMENT NO. 33

On page 52, at the end of line 20, insert "(\$1,167,500 Matching Funds)"

#### AMENDMENT NO. 34

On page 54, delete lines 13 through 16, and insert the following:

"Payable from General Obligation Bonds	
Priority 5	<u>\$ 325,000"</u>

#### AMENDMENT NO. 35

On page 73, delete lines 4 through 8, and insert the following:

"Payable from State General Fund (Direct)	\$ 450,000
Payable from General Obligation Bonds	
Priority 1	\$ 600,000

Priority 5	\$ 490,000
Total	<u>\$ 1,540,000"</u>

#### AMENDMENT NO. 36

On page 73, after line 47, insert the following:

#### **"50/ML1 NEW IBERIA**

(990) Sewer System Upgrade Area D Tributary, Planning and Construction (\$360,000 Local Match) (Iberia) Payable from General Obligation Bonds Priority 2	<u>\$ 1,080,000"</u>
---	----------------------

#### AMENDMENT NO. 37

On page 79, delete line 36 and insert the following:

"Priority 2	\$ 400,000
Priority 5	\$ 300,000
Total	<u>\$ 700,000"</u>

#### AMENDMENT NO. 38

On page 84, after line 46, insert the following:

#### **"50/NA8 SERENITY 67**

( ) Serenity 67 Multi-purpose Center, Planning, Construction, Acquisition and Renovation (Supplemental Funding) (East Baton Rouge) Payable from State General Fund (Direct)	<u>\$ 25,000"</u>
---	-------------------

#### AMENDMENT NO. 39

On page 91, between lines 34 and 35, insert the following:

#### **"50/NDX NEW ORLEANS COUNCIL ON AGING**

(1472) Pontchartrain Park Senior Center Walking Path, Planning and Construction (Orleans) Payable from General Obligation Bonds Priority 2	<u>\$ 150,000</u>
--	-------------------

Pending submittal and approval of capital outlay budget request pursuant to the provisions of R.S. 39:112."

#### AMENDMENT NO. 40

On page 97, delete lines 13 and 14, and insert the following:

"Payable from State General Fund (Direct)	\$ 100,000"
---	-------------

#### AMENDMENT NO. 41

On page 98, delete lines 8 through 10, and insert the following:

"Priority 2	\$ 250,000
Priority 3	\$ 400,000
Priority 4	\$ 400,000
Total	<u>\$ 1,050,000"</u>

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
Representative John A. Alario, Jr.  
Representative Joe R. Salter

## Page 34 HOUSE

36th Day's Proceedings - June 23, 2005

Senator Willie Mount  
Senator Robert Adley  
Senator Donald E. Hines

Rep. Hammett moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Morrish
Ansardi	Gallot	Odinot
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Heaton	Ritchie
Bruce	Hebert	Robideaux
Bruneau	Hill	Scalise
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Total - 102		

#### NAYS

Romero  
Total - 2

Schneider

#### ABSENT

Total - 0

The Conference Committee Report was adopted.

### HOUSE BILL NO. 786—

BY REPRESENTATIVE SALTER

#### AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 786 By Representative Salter

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 786 by Representative Salter, recommend the following concerning the Reengrossed bill:

1. That the amendment proposed by Legislative Bureau and adopted by the Senate on June 17, 2005, be adopted.
2. That Senate Amendment Nos. 1, 2, 5, 7, 13, 16 through 18, 20 through 27, 32, and 37 through 47 in the set of Senate Floor Amendments proposed by Senator Adley and adopted by the Senate on June 20, 2005, be adopted.
3. That Senate Amendment Nos. 3, 4, 6, 8 through 12, 14, 15, 19, 28 through 31, and 33 through 36 in the set of Senate Floor Amendments proposed by Senator Adley and adopted by the Senate on June 20, 2005, be rejected.
4. That the following amendments to the Reengrossed bill be adopted:

#### AMENDMENT NO. 1

In Senate Floor Amendment No. 6, proposed by Senator Adley and adopted by the Senate on June 20, 2005, on page 1, line 16, after "entrepreneurial" delete the remainder of the line and insert "business." and delete line 17 in its entirety

#### AMENDMENT NO. 2

In Senate Floor Amendment No. 12, proposed by Senator Adley and adopted by the Senate on June 20, 2005, on page 2, line 2, change "(11)" to "(12)" and change "one million" to "five hundred thousand"

#### AMENDMENT NO. 3

In Senate Floor Amendment No. 24, proposed by Senator Adley and adopted by the Senate on June 20, 2005, on page 3, line 3, change "one million" to "five hundred thousand"

#### AMENDMENT NO. 4

In Senate Floor Amendment No. 47, proposed by Senator Adley and adopted by the Senate on June 20, 2005, on page 4, line 28, after "terminate on" delete the remainder of the sentence and insert "July 1, 2007, provided however, that the provisions of this Act shall continue to apply to any granted tax credits until July 1, 2010."

#### AMENDMENT NO. 5

On page 1, at the beginning of line 17, change "Department of Economic Development" to "Office of Financial Institutions"

#### AMENDMENT NO. 6

On page 1, at the end of line 18, delete the period "." and insert a comma "," and at the beginning of line 19, delete "The Office of Financial Institutions shall"

#### AMENDMENT NO. 7

On page 2, line 1, after "program" and before "and provide" insert a comma ","

#### AMENDMENT NO. 8

On page 2, line 6, after "expansion of" delete the remainder of the line and insert "businesses"

#### AMENDMENT NO. 9

On page 2, at the beginning of line 7, delete "especially those"

#### AMENDMENT NO. 10

On page 2, between lines 14 and 15, insert the following:

"(3) "Certified capital" means an investment pursuant to R.S. 51:3079 into a LCDFI."

#### AMENDMENT NO. 11

On page 2, line 15, change "(2)" to "(4)"

#### AMENDMENT NO. 12

On page 2, delete line 17 in its entirety.

#### AMENDMENT NO. 13

On page 2, at the beginning of line 21, change "a" to "the"

#### AMENDMENT NO. 14

On page 2, line 25, after "The" change "department" to "commissioner"

#### AMENDMENT NO. 15

On page 2, between lines 26 and 27, insert the following:

"(6) "Investment for the purposes of earning these tax credits" means a transaction that, in substance and in form, is the investment of cash in exchange for either:

(a) Common stock, preferred stock, or an equivalent ownership interest in a LCDFI.

(b) A loan receivable or note receivable from a LCDFI which has a stated final maturity date of not less than five years from the origination date of the loan or note and is repaid in a manner which results in the loan or note being fully repaid or otherwise satisfied in equal amounts over the stated maturity of the loan or note.

(7) "Investment date" means, with respect to each investment pool, the date on which the investment pool transaction closes."

#### AMENDMENT NO. 16

On page 2, line 27, change "(5)" to "(8)" and between "means any" and "capital" insert "certified"

#### AMENDMENT NO. 17

On page 3, line 1, change "(6)" to "(9)"

#### AMENDMENT NO. 18

On page 3, at the end of line 4, delete "as a" and on line 5, delete "licensed business and industrial development corporation"

#### AMENDMENT NO. 19

On page 3, at the beginning of line 8, delete "also"

#### AMENDMENT NO. 20

On page 3, line 10, change "(7)" to "(10)"

#### AMENDMENT NO. 21

On page 3, line 12, change "(8)" to "(11)" and after "tract that has" delete the remainder of the line, delete lines 13 and 14 in their entirety, and insert "thirty-five percent of the United States Department of Housing and Urban Development Area Median Family Income, as determined and approved by the commissioner."

#### AMENDMENT NO. 22

On page 3, line 17, change "(10)" to "(13)"

#### AMENDMENT NO. 23

On page 3, delete lines 23 through 25 in their entirety and insert "business by a LCDFI."

#### AMENDMENT NO. 24

On page 3, delete lines 26 and 27 in their entirety.

#### AMENDMENT NO. 25

On page 3, after line 29, insert the following:

"(15) "Total certified capital under management" means, for purposes of investment limits pursuant to R.S. 51:3081(H):

(a) GAAP capital shall include common stock, preferred stock, general partnership interests, limited partnership interests, surplus and other equivalent interests, all of which shall be exchanged for cash and available for investment in qualified investments; undivided profits or loss which shall be reduced by a fully-funded loan loss reserve; contingency or other capital reserves and minority interests; reduced by all organization costs.

(b) Qualified non-GAAP capital shall include the portion of debentures, notes, or any other quasi-equity or debt instruments with a maturity of not less than five years which is available for investment in qualified investments."

#### AMENDMENT NO. 26

On page 4, line 3, change "R.S. 51:3078(4)" to "R.S. 51:3078(9)"

#### AMENDMENT NO. 27

On page 4, line 5, after "calculated by the" delete the remainder of the line

#### AMENDMENT NO. 28

On page 4, line 6, after "person's" delete the remainder of the line, delete line 7, and insert "investment for the purposes of earning tax credits."

#### AMENDMENT NO. 29

On page 4, line 8, after "(b)" delete "Investments in or loans to a LCDFI" and insert "An investment for the purposes of earning tax credits"

#### AMENDMENT NO. 30

## Page 36 HOUSE

36th Day's Proceedings - June 23, 2005

On page 4, line 10, after "granted" delete the remainder of the line and insert "shall not result in a"

### AMENDMENT NO. 31

On page 4, at the beginning of line 11, delete "additional"

### AMENDMENT NO. 32

On page 4, line 12, after "through" and before the period "." change "2009-2010" to "2006-2007"

### AMENDMENT NO. 33

On page 4, line 17, after "(3)" change "During any calendar year in which" to "If"

### AMENDMENT NO. 34

On page 4, line 20, after "investors" and the period "." delete the remainder of the line, delete lines 21 through 27 in their entirety, and insert the following:

"Requests for allocation shall be prepared for filing not later than December first on a form prescribed by the commissioner, which form shall include an affidavit by the investor pursuant to which such investor shall become legally bound and irrevocably committed to make an investment of certified capital subject only to receipt of an allocation pursuant to this Subsection. Any requests for allocation filed with the commissioner before December first shall be deemed to have been filed on December first. Allocations shall be granted to LCDFI's on a pro-rata basis."

### AMENDMENT NO. 35

On page 5, line 12, change "Department of Economic Development" to "Office of Financial Institutions"

### AMENDMENT NO. 36

On page 5, line 14, after "A. The" delete "secretary and the"

### AMENDMENT NO. 37

On page 5, line 17, after "B. The" delete "secretary and the"

### AMENDMENT NO. 38

On page 5, line 24, after "C. The" delete "secretary and the"

### AMENDMENT NO. 39

On page 5, line 26, after "application, the" delete "secretary and the"

### AMENDMENT NO. 40

On page 5, line 27, after "issue the certification" and before "and" insert "as a LCDFI"

### AMENDMENT NO. 41

On page 6, line 1, after "E. The" delete "secretary and the"

### AMENDMENT NO. 42

On page 6, line 2, after "Revenue on" delete "a" and insert "an annual basis each" and on line 3, after "year" and before "following" delete "quarterly basis"

### AMENDMENT NO. 43

On page 6, line 11, after "must be" delete the remainder of the line, delete lines 12 through 15 in their entirety, and insert "placed in qualified investments."

### AMENDMENT NO. 44

On page 6, line 21, after "B." delete the remainder of the line, delete lines 22 through 24 in their entirety, and insert the following:

"The following are not qualified investments under this Subsection:

(1) Investments in businesses predominantly engaged in oil and gas exploration and development, gaming, real estate development for resale, banking, lending, insurance, or professional services provided by accountants, lawyers, or physicians.

(2) Investments in associates of LCDFI's. The secretary, by rule, shall define "associate". If a legal entity is not an associate before a LCDFI or any of its affiliated LCDFI's initially invests in the entity, it will not be an associate of the LCDFI or any of its affiliated LCDFI's provide additional investment subsequent to the initial investment in the entity.

(3) That portion of a LCDFI's qualified investments outstanding at any one time in any Louisiana entrepreneurial business or group of affiliated Louisiana entrepreneurial businesses in excess of fifteen percent of the LCDFI's total certified capital.

(4) Qualified investments, with the exception of participations between LCDFI's, which are reported as qualified investments on another LCDFI's books.

(5) Reciprocal investments or loans made between LCDFI's."

### AMENDMENT NO. 45

On page 7, delete lines 3 through 6 in their entirety.

### AMENDMENT NO. 46

On page 7, line 7, change "E." to "C." and after "following to the" and before "on a" change "secretary" to "commissioner"

### AMENDMENT NO. 47

On page 7, line 20, after "report to the" and before "annually" change "secretary" to "commissioner"

### AMENDMENT NO. 48

On page 7, line 23, after "submit to the" and before the comma "," change "secretary" to "commissioner"

### AMENDMENT NO. 49

On page 7, line 28, after "retention to the" delete the remainder of the line and insert "commissioner upon their completion, provided that all the information specified in R.S. 51:1927.2 is included in or in addition to these reports."

### AMENDMENT NO. 50

On page 8, line 1, change "E." to "D."

### AMENDMENT NO. 51

On page 8, line 4, after "(2) The" and before "shall by" change "secretary" to "commissioner"

### AMENDMENT NO. 52

On page 8, line 6, change "G." to "E."

AMENDMENT NO. 53

On page 8, at the beginning of line 9 after "the" and before "refusal" change "secretary's" to "commissioner's"

AMENDMENT NO. 54

On page 8, line 10, after "misrepresentation to the" and before "in an" change "secretary" to "commissioner"

AMENDMENT NO. 55

On page 8, line 11, after "justified the" and before "refusal" change "secretary's" to "commissioner's"

AMENDMENT NO. 56

On page 8, line 13, after "order of the" and before "or the secretary" change "secretary" to "commissioner"

AMENDMENT NO. 57

On page 8, between lines 14 and 15, insert the following:

"F. In the event of a change of control of a LCDFI, at least thirty days prior to the effective date, the LCDFI shall provide written notification to the commissioner of the proposed transaction. Unless additional information is required, the commissioner shall review the information submitted and shall issue either an approval or denial of the change of control within thirty days of the receipt of the notification. Information to be included in the notification shall be defined by rule.

G. A LCDFI shall make no investment if after making such investment, the total investment outstanding would exceed fifteen percent of the total certified capital under management unless the investment is defined to be a permissible investment for a LCDFI. The department may promulgate rules which include a method of defining "permissible investments".

AMENDMENT NO. 58

On page 8, at the beginning of line 17 after "and the" and before "commissioner" delete "secretary or the"

AMENDMENT NO. 59

On page 8, line 21, after "cost of" and before "the annual" insert "program administration and"

AMENDMENT NO. 60

On page 8, at the beginning of line 27, after "If the" and before "determines" change "secretary" to "commissioner"

AMENDMENT NO. 61

On page 9, line 2, change "one hundred twenty" to "ninety"

AMENDMENT NO. 62

On page 9, line 5, change "one hundred twenty" to "ninety"

AMENDMENT NO. 63

On page 9, line 7, after "R.S. 51:3081, the" change "secretary" to "commissioner"

AMENDMENT NO. 64

On page 9, line 10, after "pools" and before "cause" change "may" to "shall"

AMENDMENT NO. 65

On page 9, line 24, after the comma "," and before "those" insert "fifty percent of"

AMENDMENT NO. 66

On page 10, line 1, after "(4) The" and before "may promulgate" change "secretary" to "commissioner"

AMENDMENT NO. 67

On page 10, line 2, after "credits" delete the remainder of the line, delete line 3 in its entirety, and insert "which fail to meet the continuing certification"

AMENDMENT NO. 68

On page 10, delete lines 5 through 7 in their entirety and insert the following:

"(5) When the LCDFI has invested one hundred percent of such investment pool in qualified investments, the LCDFI may voluntarily decertify such investment pool by sending a written request to the secretary or commissioner for a review and decertification. If the decertification of the investment pool is approved by the secretary or commissioner, no tax credits claimed or to be claimed under R.S. 51:3079 with respect to such investment pool will be subject to repayment, recapture, retaliation, or forfeiture by the LCDFI or its investors, except as otherwise provided by rules adopted by the commissioner pursuant to this Section.

(6) The commissioner shall promulgate rules and regulations pursuant to the Administrative Procedures Act no later than October, 2005 providing for the repayment of capital raised by LCDFI's as a result of tax credits granted pursuant to this Act."

AMENDMENT NO. 69

On page 10, at the beginning of line 20, after "The" and before "may" change "secretary" to "commissioner"

AMENDMENT NO. 70

On page 10, line 26, after "with the" and before the period "." change "secretary" to "commissioner"

AMENDMENT NO. 71

On page 11, line 1, after "Guidance by" and before the semicolon ";" change "secretary" to "commissioner"

AMENDMENT NO. 72

On page 11, line 2, after "interpretations of the" and before "shall" change "secretary" to "commissioner"

AMENDMENT NO. 73

On page 11, line 6, after "Other" and before "responsibilities" change "department" to "Office of Financial Institutions"

AMENDMENT NO. 74

On page 11, at the beginning of line 7, after "The" and before the comma "," change "department" to "Office of Financial Institutions" and after "authority" delete the remainder of the line and on line 8 delete "economic development of the state"

## Page 38 HOUSE

36th Day's Proceedings - June 23, 2005

### AMENDMENT NO. 75

On page 11, line 22, after "certified by the" and before the period "." change "secretary" to "commissioner"

### AMENDMENT NO. 76

On page 11, line 24, after "from the" and before the period "." change "secretary" to "commissioner"

### AMENDMENT NO. 77

On page 12, line 5, after "by the" and before the period "." change "Department of Economic Development" to "Office of Financial Institutions"

### AMENDMENT NO. 78

On page 12, line 7, after "responsibilities, the" and before "and the Department" change "department" to "Office of Financial Institutions."

### AMENDMENT NO. 79

On page 12, line 9, after "exchanged by the" and before "and the" change "department" to "Office of Financial Institutions"

### AMENDMENT NO. 80

On page 12, at the beginning of line 14, and before "and the secretary" change "secretary" to "commissioner"

### AMENDMENT NO. 81

On page 12, line 21, change "sixty" to "fifty"

Respectfully submitted,

Representative Joe R. Salter  
Representative Bryant O. Hammett  
Representative Cedric Richmond  
Senator Robert Adley  
Senator Ann Duplessis  
Senator Francis C. Heitmeier

Rep. Richmond moved to adopt the Conference Committee Report.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.

Carter, R.	Jackson	Smith, J.D.-50th
Cazayoux	Jefferson	Smith, J.H.-8th
Crane	Johns	Smith, J.R.-30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Guillory, M.	Quezaire	Wooton
Honey	Walker	
Total - 5		

The Conference Committee Report was adopted.

### **HOUSE BILL NO. 755—**

BY REPRESENTATIVES DARTEZ AND JACK SMITH  
AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

Read by title.

### **CONFERENCE COMMITTEE REPORT House Bill No. 755 By Representative Dartez**

June 23, 2006

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 755 by Representative Dartez, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 4 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 14, 2005, be rejected.
2. That the following amendments to the reengrossed bill be adopted:

### AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 26:2(12), 90(A)(10), 286(A)(10), 326 and 934(2) and (3) and to"

#### AMENDMENT NO. 2

On page 1, line 4, after "relative to" delete the remainder of the line and insert "alcoholic beverages;"

#### AMENDMENT NO. 3

On page 1, at the beginning of line 5, and before "to" insert "to provide for a revision of the laws relative to the sales and abuse of alcoholic beverages, to redefine the term "package house"; to provide for prohibited acts on licensed premises; to provide for certification requirements for a responsible vendor; to provide relative to native wineries authority to sell at wholesale; to provide for assistance for alcohol abuse and problem drinkers;"

#### AMENDMENT NO. 4

On page 1, line 12, after "Section 1." and before "Part" insert "R.S. 26:2(12), 90(A)(10), 286(A)(10), 326 and 934(2) and (3) are hereby amended and reenacted and"

#### AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

#### "§2. Definitions

For purposes of this Chapter, the following terms have the respective meanings ascribed to them in this Section, unless a different meaning clearly appears from the context:

\* \* \*

(12) "Package house" means a place where ~~a person sells alcoholic beverages in closed containers, prepared for transportation and consumption off the premises. the consumption of alcoholic beverages is prohibited on the licensed premises and the mixing of alcoholic beverages for freezing is prohibited unless performed out of view of the public and sold in closed containers for consumption off of the licensed premises.~~

\* \* \*

§90. Acts prohibited on licensed premises; suspension or revocation of permits

A. No person holding a retail dealer's permit and no agent, associate, employee, representative, or servant of any such person shall do or permit any of the following acts to be done on or about the licensed premises:

\* \* \*

(10) Permit the playing of pool or billiards by any person under eighteen years of age, ~~or permit such a person to visit or frequent the licensed premises operating a pool or billiard hall, except in a structure where the position of the pool or billiards playing area is separate and distinct from the area where alcoholic beverages are dispensed to patrons unless accompanied by a person eighteen years of age or older.~~

\* \* \*

§286. Acts prohibited on licensed premises; suspension or revocation of permits

A. No person holding a retail dealer's permit and no servant, agent, or employee of the permittee shall do any of the following acts upon the licensed premises:

\* \* \*

(10) Permit the playing of pool or billiards by any person under eighteen years of age, ~~or permit such a person to visit or frequent the licensed premises operating a pool or billiard hall, except in a structure where the position of the pool or billiards playing area is separate and distinct from the area where alcoholic beverages are dispensed to patrons unless accompanied by a person eighteen years of age or older.~~

\* \* \*

§326. Native winery; ~~wholesale and~~ retail sales; intrastate shipment

Any person who has properly obtained a producer's permit, as provided for in R.S. 26:325, may engage in the production of native wines and may also sell the manufactured beverage at wholesale and at retail for consumption on or off the licensed premises, including by direct sale and shipment by common carrier to any consumer domiciled in the state of Louisiana. Sales of the manufactured beverage completed by delivery to the consumer through shipment by common carrier shall not be subject to the taxes levied by R.S. 26:341(B).

\* \* \*

#### AMENDMENT NO. 6

On page 1, at the beginning of line 17, insert "A."

#### AMENDMENT NO. 7

On page 1, line 18, change "Class A General retail liquor permit" to "Class A retail permit"

#### AMENDMENT NO. 8

On page 2, line 2, change "two hundred fifty dollars per day." to "one hundred dollars."

#### AMENDMENT NO. 9

On page 2, between lines 2 and 3, insert the following:

"B. Each Class A and Class B permit holder shall remit twelve dollars annually to the Louisiana Department of Justice or the designee of the attorney general pursuant to a cooperative endeavor agreement for the sole purpose of funding and administering the Alcohol Abuse Toll-Free Hotline Fund provided for in R.S. 28:872.

\* \* \*

#### AMENDMENT NO. 10

On page 2, between lines 3 and 4, insert the following:

"§934. Requirements for certification

In order to qualify for and maintain certification as a responsible vendor, the vendor shall comply with all of the following:

\* \* \*

(2) Successful completion of a server training course offered by an approved provider by each server within forty-five days after commencing employment and the securing and maintaining of a valid server permit. Server permits shall be valid for a period of ~~two~~

# Page 40 HOUSE

36th Day's Proceedings - June 23, 2005

four years and shall be issued and renewed in accordance with rules and regulations promulgated by the commissioner.

(3) ~~Attendance at a refresher~~ Successful completion of a server training course by each server at least once every ~~two~~ four years as scheduled by any approved provider, which course shall include the dissemination of new information relating to the program subject areas as set forth in R.S. 26:933.

\* \* \*

## AMENDMENT NO. 11

On page 2, at the end of line 12, after "behavior" insert "This twenty-four hour, toll-free service shall be known as the "Corey Alcohol Abuse Hotline".

## AMENDMENT NO. 12

On page 2, line 16, after "A' and before "alcohol" delete "General"

## AMENDMENT NO. 13

On page 2, line 25, after "treasury" and before "shall" delete "and specifically allocated for these purposes" and insert in lieu thereof "pursuant to the provisions of R.S. 26:751(B)"

## AMENDMENT NO. 14

On page 3, line 5, after "treasury" delete the remainder of the line in its entirety and insert in lieu thereof "pursuant to the provisions of R.S. 26:751(B)"

## AMENDMENT NO. 15

On page 3, at the beginning of line 6, delete "these purposes"

## AMENDMENT NO. 16

On page 3, after line 8, insert the following:

"Section 3. The provisions of R.S. 26:326 contained in this Act shall supercede the changes made to that provision in House Bill 338 of the 2005 Regular Session."

Respectfully submitted,

Representative Carla Blanchard Dartez  
Representative Jack Smith  
Representative Joseph F. Toomy  
Senator Diana E. Bajoie  
Senator Robert M. Marionneaux, Jr.  
Senator Edwin R. Murray

Rep. Jack Smith moved to adopt the Conference Committee Report.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Arnold	Glover	Pierre
Badon	Gray	Pinac
Baldone	Guillory, E.	Pitre
Baudoin	Hammett	Powell, T.
Bowler	Heaton	Quezaire
Bruce	Hebert	Richmond
Bruneau	Honey	Ritchie

Burrell  
Carter, K.  
Carter, R.  
Curtis  
Damico  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Fannin  
Farrar  
Faucheux  
Total - 70

Hunter  
Jackson  
Jefferson  
Johns  
Kennard  
Kenney  
LaBruzzo  
LaFleur  
LaFonta  
Lancaster  
Marchand  
McDonald  
McVea  
Montgomery  
Morrell

Romero  
Smith, G.  
Smith, J.D.--50th  
St. Germain  
Strain  
Thompson  
Toomy  
Townsend  
Trahan  
Walker  
Winston  
Wooton  
Wright

### NAYS

Alexander  
Beard  
Burns  
Cazayoux  
Cravins  
Crowe  
Daniel  
Erdey  
Geymann  
Total - 26

Greene  
Hill  
Hopkins  
Hutter  
Katz  
Kleckley  
Lambert  
Powell, M.  
Robideaux

Schneider  
Smiley  
Smith, J.H.--8th  
Smith, J.R.--30th  
Triche  
Waddell  
Walsworth  
White

### ABSENT

Ansardi  
Barrow  
Baylor  
Total - 8

Crane  
Guillory, M.  
Martiny

Scalise  
Tucker

The Conference Committee Report was adopted.

## Suspension of the Rules

On motion of Rep. Daniel, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

## HOUSE BILL NO. 795—

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:3201 through 3205 and 4301 through 4306, relative to contracts with the Board of Commerce and Industry and manufacturing establishments; and to provide for related matters.

Read by title.

## CONFERENCE COMMITTEE REPORT House Bill No. 795 By Representative Hammett

June 22, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 795 by Representative Hammett, recommend the following concerning the Engrossed bill:

1. That the Senate Committee Amendment Nos. 1 through 4, and 6 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, be adopted.



2. That the Senate Committee Amendment No. 5 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 17, 2005, be rejected.
3. That the set of nine Senate Floor Amendments proposed by Senator Mount and adopted by the Senate on June 20, 2005, be adopted.
4. That the Senate Floor Amendment, consisting of one amendment, proposed by Senator Mount and adopted by the Senate on June 20, 2005, be rejected.
5. That the following amendment to the engrossed bill be adopted:

"(b) At the invitation of the Governor, contracts of exemption for which the initial five-year renewal period ended on or after December 1, 2002 but before February 2003 may be further renewed for up to two additional five-year periods provided that the total number of years of exemption shall not exceed twenty years. The first of the additional two renewals authorized by this Subparagraph shall commence with the first taxable period following the initial effective date of this Subparagraph and need not be contiguous with the preceding renewal period."

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
 Representative T. Taylor Townsend  
 Representative Billy Montgomery  
 Senator Willie Mount  
 Senator Robert W. Kostelka  
 Senator Gerald J. Theunissen

Rep. Hammett moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White

Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Baylor	Glover	Odinot
Burrell	Heaton	Smith, J.D.—50th
Downs	Katz	
Total - 8		

The Conference Committee Report was adopted.

### HOUSE BILL NO. 742—

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATOR DUPLESSIS  
 AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.66, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to facilitate public and private research functions in the district; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 742 By Representative K. Carter

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 742 by Representative K. Carter, recommend the following concerning the Reengrossed bill:

1. That the set of 3 Senate Floor Amendments proposed by Senator Bajoie and adopted by the Senate on June 20, 2005, be adopted.
2. That the Senate Floor Amendment proposed by Senator Chaisson and adopted by the Senate on June 20, 2005, be rejected.
3. That the Senate Floor Amendments proposed by Senator Barham and adopted by the Senate on June 20, 2005, be rejected.
4. That Senate Floor Amendment Nos. 1, 2, 3, and 5 through 11, in the set of 11 Senate Floor Amendments proposed by Senator Bajoie and adopted by the Senate on June 20, 2005, be adopted.
5. That Senate Floor Amendment No. 4, in the set of 11 Senate Floor Amendments proposed by Senator Bajoie and adopted by the Senate on June 20, 2005, be rejected.

## Page 42 HOUSE

36th Day's Proceedings - June 23, 2005

6. That the following amendment to the Reengrossed bill be adopted;

### AMENDMENT NO. 1

On page 4, delete lines 23 and 24 and insert the following:

"(a) The president of the Louisiana State University System or his designee."

### AMENDMENT NO. 2

On page 5, delete line 22, and insert the following:

"any private institution or organization represented on the board pursuant to this Section or with a right to appoint or nominate members"

### AMENDMENT NO. 3

On page 14, line 19, delete "A."

Respectfully submitted,

Representative Karen R. Carter  
Representative Bryant O. Hammett, Jr.  
Representative Kenneth L. Odinet  
Senator Diana E. Bajoie  
Senator Ann Duplessis

Rep. Karen Carter moved to adopt the Conference Committee Report.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Fannin	McDonald
Alario	Farrar	McVea
Alexander	Faucheux	Montgomery
Arnold	Frith	Morrell
Badon	Gallot	Odinot
Baldone	Glover	Pierre
Barrow	Gray	Pinac
Baudoin	Guillory, E.	Powell, T.
Bruce	Guillory, M.	Quezaire
Burns	Hammett	Richmond
Burrell	Heaton	Ritchie
Carter, K.	Hebert	Romero
Carter, R.	Hill	Scalise
Cazayoux	Honey	Smith, G.
Cravins	Hunter	Smith, J.D.—50th
Crowe	Hutter	Smith, J.R.—30th
Curtis	Jackson	St. Germain
Damico	Jefferson	Thompson
Daniel	Kennard	Toomy
Darte	Kenney	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Walker
Dorsey	LaFonta	Winston
Downs	Marchand	Wooton
Durand	Martiny	Wright
Total - 75		

#### **NAYS**

Beard	Hopkins	Schneider
Bowler	Katz	Smiley
Bruneau	Kleckley	Smith, J.H.—8th
Crane	Lambert	Strain

Dove	Lancaster	Tucker
Erdey	Pitre	Waddell
Geymann	Powell, M.	Walsworth
Greene	Robideaux	
Total - 23		

ABSENT

Ansardi	Johns	Triche
Baylor	Morrish	White
Total - 6		

The Conference Committee Report was adopted.

### **HOUSE BILL NO. 877— BY REPRESENTATIVE TOWNSEND AN ACT**

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Read by title.

### **CONFERENCE COMMITTEE REPORT House Bill No. 877 By Representative Townsend**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 877 by Representative Townsend, recommend the following concerning the Engrossed bill:

1. The Senate Floor Amendments Nos. 1 and 2, proposed by Senator Marionneaux and adopted by the Senate on June 20, 2005, be rejected.
2. That the following amendments to the engrossed bill be adopted:

On page 1, delete lines 2 through 11 in their entirety and insert the following:

"To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:291(B)(2) is hereby amended and reenacted to read as follows:

§291. Naming; limits of districts; composition of boards

A.

\* \* \*

B. Bossier Levee District

(1)

\* \* \*

(2) The governor shall appoint in accordance with the provisions of R.S. 38:304 ~~eight~~ nine persons; ~~four~~ persons from Ward 2 of Bossier Parish ~~and~~ four persons from Wards 1 and 4 of Bossier Parish; ~~and one person, as an at-large member, from any ward within the parish~~ to serve as levee commissioners.

\* \* \*

Respectfully submitted,

Representative T. Taylor Townsend  
Representative Charles DeWitt  
Representative Bryant O. Hammett, Jr.  
Senator Robert Marionneaux, Jr.  
Senator Edwin R. Murray

Rep. Montgomery moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Glover	Pinac
Alario	Gray	Pitre
Arnold	Guillory, E.	Powell, M.
Badon	Guillory, M.	Powell, T.
Baldone	Hammett	Quezaire
Barrow	Hebert	Richmond
Bowler	Honey	Ritchie
Bruce	Hopkins	Romero
Bruneau	Hunter	Scalise
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Cravins	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	McVea	Walker
Durand	Montgomery	Winston
Faucheux	Morrell	Wooton
Frith	Odinot	Wright
Gallot	Pierre	
Total - 74		

#### NAYS

Alexander	Fannin	Robideaux
Baudoin	Farrar	Schneider
Beard	Geymann	Smiley
Burns	Greene	Strain
Carter, R.	Heaton	Walsworth
Crane	Hill	White
Crowe	Kleckley	
Erdey	McDonald	
Total - 22		

#### ABSENT

Ansardi	Kennard	Morrish
Baylor	Lambert	Triche
Downs	Martiny	
Total - 8		

The Conference Committee Report was adopted.

### HOUSE BILL NO. 428—

BY REPRESENTATIVES PIERRE AND THOMPSON

#### AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT House Bill No. 428 By Representative Pierre

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 428 by Representative Pierre, recommend the following concerning the Reengrossed bill:

1. That the Senate Floor Amendment proposed by Senator Romero and adopted by the Senate on June 16, 2005, be adopted.
2. That Amendment No. 2 of the Senate Floor Amendments proposed by Senator Malone and adopted by the Senate on June 16, 2005, be adopted.
3. That Amendment No. 1 of the Senate Floor Amendments proposed by Senator Malone and adopted by the Senate on June 16, 2005, be rejected.
4. That the following amendments be adopted:

#### AMENDMENT NO. 1

On page 4, line 22, after "lease," insert the following:

"No lease shall be granted in whole or in part unless the amount of any electric power production royalty has been approved by the House Committee on Natural Resources and the Senate Committee on Natural Resources prior to advertisement."

#### AMENDMENT NO. 2.

On page 3, between lines 4 and 8, insert the following:

"Any lease granted under the provisions of this Chapter shall be subject to the same decommissioning rules and regulations as oil and gas and sulphur facilities under the provisions of Subpart Q of Part 250 of Chapter II of Title 30 of the Code of Federal Regulations (30CFR 250.1700 et seq.)."

Respectfully submitted,

Representative Wilfred Pierre

## Page 44 HOUSE

36th Day's Proceedings - June 23, 2005

Representative William B. Daniel, IV  
Representative Jack D. Smith  
Senator Max T. Malone  
Senator Nick Gautreaux  
Senator Craig F. Romero

Rep. Pierre moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	Kleckley	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Fauchoux	Morrell	
Total - 101		

#### NAYS

Badon  
Total - 2

#### ABSENT

Wooton  
Total - 1

The Conference Committee Report was adopted.

### SENATE BILL NO. 59 (Duplicate of House Bill No. 871)— BY SENATOR DUPLESSIS AND REPRESENTATIVE MARCHAND AND COAUTHORED BY SENATOR JACKSON

#### AN ACT

To amend and reenact R.S. 47:297.4, relative to certain child care expenses; to authorize a claim without regard to whether a federal credit is claimed; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT

### Senate Bill No. 59 by Senator Duplessis

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 59 by Senator Duplessis recommend the following concerning the Engrossed bill:

1. That House Floor Amendments Nos. 2 through 5 and 7 through 14 proposed by Representative Marchand and adopted by the House of Representatives on June 20, 2005 be adopted.
2. That House Floor Amendments Nos. 1 and 6 proposed by Representative Marchand and adopted by the House of Representatives on June 20, 2005 be rejected.
3. That House Floor Amendments Nos. 1 through 4 proposed by Representative Marchand and adopted by the House of Representatives on June 15, 2005 be rejected.
4. That the following amendments to the engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, delete lines 10 through 17 in their entirety and insert in lieu thereof the following:

"is eligible pursuant to the federal income tax credit provided by Internal Revenue Code Section 21 for the same taxable year. The credit shall be calculated using the following percentages of the credit for child care expenses claimed on the resident individual's federal tax return:

(1)(a) If the resident individual's federal adjusted gross income is equal to or less than twenty-five thousand dollars, the credit shall be calculated based on the federal tax credit before it is reduced by the amount of the individual's federal income tax and be equal to fifty percent of the federal credit the following amounts for the following tax years:

(i) For tax years beginning after December 31, 2005 and ending before January 1, 2007, twenty-five percent of the unreduced federal credit.

(ii) For tax years beginning after December 31, 2006 fifty percent of the unreduced federal credit.

(b) For the individuals provided for by this Subparagraph, the Louisiana credit shall be allowed without regard to whether they claimed such federal credit."

Respectfully submitted,

Senator Ann Duplessis  
Senator Willie Mount  
Senator Lydia P. Jackson  
Representative Charmaine Marchand  
Representative Bryant O. Hammett, Jr.  
Representative Billy Montgomery

Rep. Marchand moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Geymann	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Hammett	Richmond
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wright
Total - 99		

## NAYS

Total - 0

## ABSENT

Ansardi	Morrell	Wooton
Guillory, M.	Ritchie	
Total - 5		

The Conference Committee Report was adopted.

**SENATE BILL NO. 89—**

BY SENATORS NEVERS, HEITMEIER AND MARIONNEAUX AND REPRESENTATIVES KENNARD, FAUCHEUX, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BEARD, BRUCE, BURNS, R. CARTER, CRANE, CRAVINS, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FRITH, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE AND WOOTON

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (iii) and (2)(a) and add Article VII, Section 18(G)(1)(a)(iv) of the Constitution of Louisiana, relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; to provide for certification of eligibility; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**Senate Bill No. 89 by Senator Nevers**

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 89 by Senator Nevers recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments Nos. 1 through 3 proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 16, 2005 be adopted.
2. That House Committee Amendments Nos. 4 and 5 proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 16, 2005 be rejected.
3. That House Floor Amendment Nos. 1 proposed by Representative Arnold and adopted by the House of Representatives on June 20, 2005 be adopted.
4. That House Floor Amendment No. 2 proposed by Representative Arnold and adopted by the House on June 20, 2005 be rejected.
5. That the following amendments to the reengrossed bill be adopted:

**AMENDMENT NO. 1**

On page 1, at the top of the page, change "SENATORS NEVERS AND MARIONNEAUX" to "SENATORS NEVERS, HEITMEIER, AND MARIONNEAUX, AND REPRESENTATIVES KENNARD AND FAUCHEUX"

**AMENDMENT NO. 2**

On page 3, delete lines 8 and 9, and insert:

"(v) Even if the ownership interest of any surviving spouse or spouse of an owner who is missing in action as provided for in this Subparagraph is an interest in usufruct."

**AMENDMENT NO. 3**

On page 3, delete lines 18 through 29, on page 4, delete lines 1 through 10, and on line 11, delete "years of age." and insert:

"To extend the special assessment level to homesteads owned and occupied by any person with a service-connected disability rating of fifty percent or more and by certain members of the armed forces of the United States or members of the Louisiana National Guard killed or missing in action or who were prisoners of war, and to any person designated as permanently totally disabled, subject to other conditions and requirements provided under the present constitution, and to require annual certification of eligibility by persons under sixty-five years of age who have qualified and received the special assessment level."

Respectfully submitted,

Senator Ben Nevers  
Senator Gerald J. Theunissen

## Page 46 HOUSE

36th Day's Proceedings - June 23, 2005

Senator Edwin R. Murray  
Representative Harold Ritchie  
Representative Bryant O. Hammett, Jr.  
Representative Jeffery Arnold

Rep. Ritchie moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	

Total - 104

#### NAYS

Total - 0

#### ABSENT

Total - 0

The Conference Committee Report having received a two-thirds vote of the elected members, was adopted.

### SENATE BILL NO. 351—

BY SENATOR NEVERS AND REPRESENTATIVES ARNOLD, DARTEZ, FARRAR, FAUCHEUX, HAMMETT, HEATON, HILL, HONEY, KENNEY, MONTGOMERY, ODINET, SCALISE, JANE SMITH AND TOWNSEND  
AN ACT

To enact R.S. 47:287.759, relative to tax credits; to provide certain tax credits to certain contractors and subcontractors who provide certain insurance; and to provide for related matters.

Read by title.

### CONFERENCE COMMITTEE REPORT

### Senate Bill No. 351 by Senator Nevers

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 351 by Senator Nevers recommend the following concerning the Engrossed bill:

1. That House Floor Amendment No. 2 proposed by Representative Hammett and adopted by the House of Representatives on June 20, 2005 be adopted.
2. That House Floor Amendments Nos. 1 and 3 proposed by Representative Hammett and adopted by the House of Representatives on June 20, 2005 be rejected.
3. That the following amendments to the engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 2, at the end of line 3, delete the period "." and insert:

"and who earns from the general contractor or subcontractor less than forty thousand dollars annually."

#### AMENDMENT NO. 2

On page 2, at the end of line 10, delete the period ".", and after "2005" insert "but before January 1, 2008."

Respectfully submitted,

Senators Ben Nevers  
Senator Robert Adley  
Senator Willie Mount  
Representative Bryant O. Hammett, Jr.  
Representative John A. Alario, Jr.  
Representative Rick Farrar

Rep. Hammett moved to adopt the Conference Committee Report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.

Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Total - 102		

NAYS

Total - 0

ABSENT

Kennard	Pitre
Total - 2	

The Conference Committee Report was adopted.

**SENATE BILL NO. 311—**BY SENATOR BOASSO AND REPRESENTATIVE TUCKER  
AN ACT

To enact Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1370 through 1377, all relative to waterways infrastructure and development; to create the Louisiana Waterways Infrastructure and Development Fund and the Louisiana Waterways Infrastructure Development Bank; to provide funding for waterways and infrastructure development from various sources; to provide for an effective date; and to provide for related matters.

Read by title.

**CONFERENCE COMMITTEE REPORT**  
**Senate Bill No. 311 by Senator Boasso**

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 311 by Senator Boasso recommend the following concerning the Reengrossed bill:

1. That the House Committee Amendments Nos. 1 and 2 proposed by House Committee on Transportation, Highways, and Public Works and adopted by the House of Representatives on June 20, 2005 be adopted.
2. That House Floor Amendments Nos. 3, 8, and 11 proposed by Representative Alario and adopted by the House of Representatives on June 20, 2005 be adopted.
3. That House Floor Amendments Nos. 1 and 2, 4 through 7, 9 and 10, and 12 through 15 proposed by Representative Alario and adopted by the House of Representatives on June 20, 2005 be rejected.

4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 3, delete lines 26 and 27 in their entirety and insert in lieu thereof the following:

"appointed by the speaker of the House of Representatives."

AMENDMENT NO. 2

On page 3, line 28, after "Senate" delete the remainder of the line and delete line 29 in its entirety and insert in lieu thereof the following:

"appointed by the president of the Senate."

AMENDMENT NO. 3

On page 6, delete lines 16 through 18 and insert the following:

"by university staff which has experience in maritime supply chain analysis and cost benefit analysis. The staff shall provide the board with written recommendations of approval or disapproval of each application before action is taken by the board. The board shall provide by rule for the selection of staff to perform necessary analysis and make recommendations."

AMENDMENT NO. 4

On page 6, line 28, change "42:4" to "42:4.1"

Respectfully submitted,

Senator Walter Boasso  
Senator Noble E. Ellington  
Representative Jim Tucker  
Representative Roy Quezaire, Jr.  
Representative John A. Alario, Jr.

Rep. Tucker moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan

## Page 48 HOUSE

36th Day's Proceedings - June 23, 2005

Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
DeWitt	LaFonta	Waddell
Doerge	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	

Total - 100

NAYS

Total - 0

ABSENT

Arnold	Richmond
Heaton	Romero

Total - 4

The Conference Committee Report was adopted.

### **SENATE CONCURRENT RESOLUTION NO. 71—**

BY SENATOR SMITH AND REPRESENTATIVES FANNIN, M. POWELL  
AND WALSWORTH

#### **A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to direct the United States Army Corps of Engineers, New Orleans District, to cease using Section 10 of the Rivers and Harbors Act to stop sustainable forestry practices in areas that have no impact on actual navigation except in the parishes of Terrebonne, Lafourche and St. Charles.

Read by title.

### **CONFERENCE COMMITTEE REPORT Senate Concurrent Resolution No. 71 by Senator Smith**

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Concurrent Resolution 71 by Senator Smith recommend the following concerning the Original bill:

1. That House Committee Amendments Nos. 1 and 2, proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on June 15, 2005, be adopted.
2. That House Floor Amendments Nos. 1, 2, 3, 4 and 5 adopted by House of Representatives on June 17, 2005, be rejected.
3. That the following amendments to the original bill be adopted:

#### AMENDMENT NO. 1

On page 1, at the end of line 5, delete the period and insert "except in the parishes of Terrebonne, Lafourche and St. Charles."

#### AMENDMENT NO. 2

On page 2, delete line 6 and insert "the forest products industry in sustainable forested wetlands; and"

#### AMENDMENT NO. 3

On page 2, at the end of line 8, delete the period and insert "; and"

#### AMENDMENT NO. 4

On page 2, between lines 8 and 9, insert:

"WHEREAS, certain acreage between the Atchafalaya and Mississippi Rivers, encompassing all or portions of the parishes of Terrebonne, Lafourche, and St. Charles, has been designated as an area of special significance to the United States and to the state of Louisiana and has been further designated as one of only twenty-eight National Estuaries in the United States; and

WHEREAS, the parishes of Terrebonne, Lafourche, and St. Charles fully support the efforts of the United States Army Corps of Engineers, New Orleans District, to protect and regulate coastal forestry activities."

#### AMENDMENT NO. 5

On page 2, at the end of line 12, delete the period and insert:

"except in the parishes of Terrebonne, Lafourche, and St. Charles."

#### AMENDMENT NO. 6

On page 2, between lines 12 and 13, insert:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana finds that it is imperative that the critically-imperiled and valued regions of the parishes of Terrebonne, Lafourche and St. Charles should have the full protection afforded by Section 10 of the Rivers and Harbors Act."

Respectfully submitted,

Senator Kenneth M. "Mike" Smith  
Senator Reggie P. Dupre, Jr.  
Senator D. A. "Butch" Gautreaux  
Representative James R. "Jim" Fannin  
Representative Roy Quezaire, Jr.  
Representative Gordon Dove

Rep. Fannin moved to adopt the Conference Committee Report.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Ritchie
Baylor	Hill	Robideaux
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain



Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Morrell	

Total - 94

NAYS

Total - 0

ABSENT

Beard	Heaton	Smith, J.D.—50th
Burrell	Hebert	Walsworth
Curtis	Richmond	
Hammett	Romero	

Total - 10

The Conference Committee Report was adopted.

### Suspension of the Rules

On motion of Rep. Durand, the rules were suspended in order to take up and consider House Bills and Joint Resolutions at this time.

### House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

On motion of Rep. Durand, the vote by which the Senate amendments to House Bill No. 369 were concurred in was reconsidered.

#### HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, HAMMETT, AND KATZ AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

#### AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 369 by Representative Durand

#### AMENDMENT NO. 1

On page 1, line 2, after "(C)" insert "and to enact R.S. 46:153.3(E)"

#### AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 46:153.3(E) is hereby enacted"

#### AMENDMENT NO. 3

On page 1, delete lines 15 and 16 and insert a period "."

#### AMENDMENT NO. 5

On page 2, between lines 5 and 6 insert the following:

"(2) The department shall not restrict by prior authorization any atypical anti-psychotic medication prescribed for any Medicaid recipient for the treatment of schizophrenia or mental illness with psychotic symptoms. Such recipient shall have had a prescription for such atypical anti-psychotic filled during the six months prior to the date on which this class of medications is placed on the Medicaid preferred drug list.

(3) The department shall not restrict by prior authorization any forty-eight week regimen of medications prescribed for Medicaid recipients for the treatment of HIV/AIDS-hepatitis C. Such recipient shall have had a prescription for such atypical anti-psychotic filled during the six months prior to the date on which this class of medications is placed on the Medicaid preferred drug list."

#### AMENDMENT NO. 6

On page 2, between lines 10 and 11, insert the following:

"E. The Medicaid program shall be required to report twice a year to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare regarding the following as they pertain to the specialized populations of persons treated by prescription medications in each category:

(1) The number of recipients in each category.

(2) The number of prior authorizations.

(3) The number and cost of in-patient hospitalizations.

(4) The number and cost of emergency room visits.

(5) The number and cost of patients institutionalized.

(6) The total cost of medications prescribed.

(7) The number and cost of organ transplants.

(8) The number of and savings associated with patients being enrolled in Medicare Part D."

#### AMENDMENT NO. 7

On page 3, lines 4 and 5, change "January 1, 2008" to "June 30, 2007" and after line 5 insert:

"Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 369 by Representative Durand

# Page 50 HOUSE

36th Day's Proceedings - June 23, 2005

## AMENDMENT NO. 1

On page 2, delete lines 3 through 5

## AMENDMENT NO. 2

Delete lines 9 through 13 of Amendment No. 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005, and insert the following:

"(2) The department shall not restrict by prior authorization an atypical antipsychotic medication prescribed for the treatment of schizophrenia or mental illness with psychotic symptoms for a Medicaid recipient that has had a prescription for such atypical antipsychotic paid for by Medicaid during the six months prior to the effective date of the class being placed on the Medicaid preferred drug list."

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 369 by Representative Durand

## AMENDMENT NO. 1

Delete lines 14 through 18 of Amendment No. 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005 and insert the following:

"(3) The department shall not restrict by prior authorization an immunomodulator or hepatitis C-specific antiviral drug prescribed for the treatment of hepatitis C for a Medicaid recipient that has had a prescription for such immunomodulator or hepatitis C – specific antiviral drug paid for by Medicaid during the six months prior to the effective date of the class being placed on the Medicaid preferred drug list."

## AMENDMENT NO. 2

Delete Amendment No. 1 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

## AMENDMENT NO. 3

Delete Amendment No. 2 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

## AMENDMENT NO. 4

Delete Amendment No. 6 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

## AMENDMENT NO. 5

On page 2, between lines 5 and 6, insert the following:

"(4) The department shall include data from the atypical antipsychotic drug class and the immunomodulator and hepatitis C – specific antiviral drug class with the data collected on all drug classes reviewed on the Medicaid preferred drug list for the annual report to the legislature and governor as required by Subparagraph (e) of Paragraph (2) of Subsection (B) of this Section."

\* \* \*

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

### **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinot
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Arnold	Gallot	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Smiley
Bruneau	Hopkins	Smith, G.
Burns	Hutter	Smith, J.D.–50th
Burrell	Jackson	Smith, J.H.–8th
Carter, K.	Jefferson	Smith, J.R.–30th
Carter, R.	Johns	St. Germain
Cazayoux	Katz	Strain
Crane	Kennard	Thompson
Cravins	Kenney	Toomy
Crowe	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	Winston
Downs	McVea	Wooton
Durand	Montgomery	Wright
Erdey	Morrell	

Total - 95

### **NAYS**

Total - 0

### **ABSENT**

Curtis	Heaton	Richmond
Geymann	Hunter	Romero
Glover	Lambert	White

Total - 9

The amendments proposed by the Senate were concurred in by the House.

### **Suspension of the Rules**

On motion of Rep. Jefferson, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### **Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

### **Message from the Senate**

### **DISAGREEMENT TO SENATE CONCURRENT RESOLUTION**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Concurrent Resolution No. 86 by Sen. B. Gautreaux, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Concurrent Resolution No. 86: Senators B. Gautreaux, McPherson, and Dupre.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Concurrent Resolution No. 86: Reps. Lancaster, Durand, and Katz.

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 142 and 143

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Barrow, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

### Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

#### SENATE CONCURRENT RESOLUTION NO. 142—

BY SENATORS BROOME, FIELDS, FONTENOT AND MARIONNEAUX AND REPRESENTATIVES BARROW, DORSEY, HONEY, JACKSON, KENNARD, MCVEA AND WHITE

##### A CONCURRENT RESOLUTION

To urge and request that any replacement facility for Earl K. Long Medical Center be located in north Baton Rouge.

Read by title.

On motion of Rep. Barrow, and under a suspension of the rules, the resolution was concurred in.

#### SENATE CONCURRENT RESOLUTION NO. 143—

BY SENATOR N. GAUTREAUX

##### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt a minimum foundation program formula for approval by the legislature for the 2006-2007 Fiscal Year and thereafter that does not contain an annual growth adjustment or any other mechanism for an automatic increase for future years in which a new formula is not approved and that uses personal wealth of the population within the jurisdiction of the school system as an element of not less than fifty percent weight in the calculation of a local wealth factor that affects the relative amount of state funding each school system receives pursuant to the formula.

Read by title.

On motion of Rep. Frith, and under a suspension of the rules, the resolution was concurred in.

### Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

#### HOUSE BILL NO. 663—

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH AND SENATORS BAJOE, BROOME, CHAISSON, CHEEK, DARDENNE, DUPRE, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES, MARIONNEAUX, MURRAY, AND SHEPHERD

##### AN ACT

To enact R.S. 15:572.8 and Code of Civil Procedure Article 87, relative to wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; to provide with respect to venue; and to provide for related matters.

Read by title.

#### CONFERENCE COMMITTEE REPORT House Bill No. 663 By Representative Glover

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 663 by

## Page 52 HOUSE

36th Day's Proceedings - June 23, 2005

Representative Glover, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 4 , 6, 7 and Nos. 9 through 15 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 15, 2005, be adopted.
2. That Senate Committee Amendment Nos. 5 and 8 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 15, 2005, be rejected.
3. That Senate Floor Amendments Nos. 1 and 3 proposed by Senator Chaisson and adopted by the Senate on June 20, be rejected.
4. That Senate Floor Amendments No. 2 proposed by Senator Chaisson and adopted by the Senate on June 20, be adopted.
5. That the following amendments to the reengrossed bill be adopted:

### AMENDMENT NO. 1

On page 1, at the beginning of line 17, change "(2)" to "(1)"

### AMENDMENT NO. 2

On page 1, at the beginning of line 18, insert "(2) The"

### AMENDMENT NO. 3

On page 2, line 9, after "provisions of" delete the remainder of the line and insert in lieu thereof "this Section and shall be tried by the judge alone. The court may consider any relevant evidence regardless of whether it was admissible in, or excluded from, the criminal trial in which the applicant was convicted. The court"

### AMENDMENT NO. 4

On page 2, at the beginning of line 10, delete "Court-Civil Division"

### AMENDMENT NO. 5

On page 2, line 25, after "also" delete the remainder of the line and insert in lieu thereof "review requests for payment and order payment which the court finds reasonable and appropriate from the Innocence"

### AMENDMENT NO. 6

On page 2, line 28, after "appropriate" and before "medical" insert "medically necessary" and after "counseling" and before "for" change "expenses" to "services"

### AMENDMENT NO. 7

On page 2, at the end of line 29, after "applicant" and before the period "." insert a comma "," and "but only if such services are not available from a state or other public facility, clinic, or office that is reasonably accessible to the applicant"

### AMENDMENT NO. 8

On page 3, line 25, change "Subsection B" to "Paragraph (A)(1)"

### AMENDMENT NO. 9

On page 3, line 26, after "date" delete "of" and delete line 27 in its entirety and insert in lieu thereof "on which the conviction was reversed or vacated."

### AMENDMENT NO. 10

On page 3, line 29, change "Subsection B" to "Paragraph (A)(1)"

Respectfully submitted,

Representative Cedric B. Glover  
Representative Daniel R. Martiny  
Representative Willie Hunter, Jr.  
Senator Joel T. Chaisson, II  
Senator Charles D. Jones

Rep. Glover moved to adopt the Conference Committee Report.

### **ROLL CALL**

The roll was called with the following result:

#### YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Schneider
Burns	Hill	Smith, G.
Burrell	Honey	Smith, J.D.-50th
Carter, K.	Hopkins	Smith, J.H.-8th
Carter, R.	Hunter	Smith, J.R.-30th
Cazayoux	Hutter	St. Germain
Crane	Jackson	Strain
Cravins	Jefferson	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	Kleckley	Triche
Dartez	LaBruzzo	Tucker
DeWitt	LaFleur	Waddell
Doerge	LaFonta	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Wooton
Durand	McDonald	Wright
Erdey	McVea	
Fannin	Montgomery	
Total - 94		

#### NAYS

Lambert  
Total - 1

#### ABSENT

Ansardi	Johns	Scalise
Bowler	Morrish	Smiley
Gallot	Richmond	Winston
Total - 9		

The Conference Committee Report was adopted.

### **Suspension of the Rules**

On motion of Rep. Burns, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

### RELATIVE TO CONSIDERATION AFTER THE 57<sup>th</sup> CALENDAR DAY

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate, by a record vote of two-thirds of its elected members, has adopted a motion to consider Senate Bill No. 291 on third reading and final passage after the 57<sup>th</sup> calendar day and ask the House of Representatives to concur in the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Burns, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions at this time.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### Motion

Rep. Burns moved to the House consider Senate Bill No. 291 on third reading and final passage after the fifty-seventh calendar day of the session.

Rep. Bowler objected.

Rep. Burns withdrew his motion.

### Motion

Rep. Johns moved to reconsider the vote by which the Conference Committee Report to House Bill No. 755 was adopted.

Rep. Jack Smith objected.

A record vote was asked for and ordered by the House.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker          Downs          Morrell

Alario  
Alexander  
Badon  
Barrow  
Baudoin  
Baylor  
Beard  
Bowler  
Bruce  
Bruneau  
Burns  
Burrell  
Cazayoux  
Crane  
Cravins  
Crowe  
Damico  
Daniel  
Doerge  
Dorsey  
Dove

Total - 64

Durand  
Fannin  
Farrar  
Frith  
Geymann  
Glover  
Gray  
Greene  
Guillory, E.  
Hill  
Honey  
Johns  
Katz  
Kennard  
Kenney  
Kleckley  
Lambert  
Marchand  
Martiny  
McDonald  
Montgomery

NAYS

Arnold  
Baldone  
Carter, R.  
Curtis  
Dartez  
DeWitt  
Faucheux  
Guillory, M.  
Hammett  
Hebert

Total - 28

Hutter  
Jackson  
Jefferson  
LaBruzzo  
LaFleur  
LaFonta  
McVea  
Pinac  
Powell, T.  
Richmond

ABSENT

Ansardi  
Carter, K.  
Erdey  
Gallot

Total - 12

Heaton  
Hopkins  
Hunter  
Lancaster

Morrish  
Odinet  
Pierre  
Pitre  
Powell, M.  
Quezaire  
Robideaux  
Schneider  
Smiley  
Smith, J.H.—8th  
Thompson  
Trahan  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
White  
Wooton

Ritchie  
Scalise  
Smith, G.  
Smith, J.D.—50th  
St. Germain  
Strain  
Toomy  
Townsend

The House agreed to reconsider the vote by which House Bill No. 755 was adopted.

### HOUSE BILL NO. 755—

BY REPRESENTATIVES DARTEZ AND JACK SMITH  
AN ACT

To enact Part VI of Chapter 4 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:751, and Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 and 872, relative to alcohol abuse; to require the office of alcohol and tobacco control to require posting of signs on certain licensed premises; to provide for a toll-free number and referral services for alcohol abuse; to provide for a fine for failure to post; to require the office for addictive disorders of the Department of Health and Hospitals to provide a toll-free telephone service; to create a special fund in the state treasury known as the Alcohol Abuse Toll-Free Fund; and to provide for related matters.

Read by title.

On motion of Rep. Jack Smith, the above bill was recommitted to the Conference Committee.

### Introduction of Resolutions, House and House Concurrent

## Page 54 HOUSE

36th Day's Proceedings - June 23, 2005

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 133—**  
BY REPRESENTATIVES HONEY AND GALLOT  
**A RESOLUTION**

To urge and request the Legislative Fiscal Office to study the means and methods used to provide state dollars and other funding for the operation of laboratory schools in Louisiana, including but not limited to issues concerning equity and fairness in funding methods and amounts, and to report study findings and recommendations in writing to the House Committee on Education at least thirty days prior to the 2006 Regular Session of the Legislature.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 134—**  
BY REPRESENTATIVE FANNIN  
**A RESOLUTION**

To urge and request the commissioner of administration and the office of planning and budget in the division of administration to develop a plan for returning to certain parishes an amount equal to a significant portion of the avails of severance tax derived from severance in the parish.

Read by title.

On motion of Rep. Fannin, and under a suspension of the rules, the resolution was adopted.

### **Senate Concurrent Resolutions on Third Reading for Final Consideration**

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 110—**  
BY SENATOR LENTINI  
**A CONCURRENT RESOLUTION**

To create the Implementation Team of the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities.

Called from the calendar.

Read by title.

On motion of Rep. Walker, the resolution was concurred in.

### **Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

### **Message from the Senate**

#### **APPOINTMENT OF CONFERENCE COMMITTEE**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 558: Senators Lentini, McPherson, and Jackson.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**HOUSE BILL NO. 558—**  
BY REPRESENTATIVE LABRUZZO  
**AN ACT**

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; to provide for exemptions; and to provide for related matters.

Read by title.

#### **CONFERENCE COMMITTEE REPORT House Bill No. 558 By Representative LaBruzzo**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 558 by Representative LaBruzzo, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1, 2 and 4 through 8 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005, be adopted.
2. That Senate Committee Amendment No. 3 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005, be rejected.
3. That Senate Floor Amendments Nos. 2 and 3 proposed by Senator Jackson and adopted by the Senate on June 9, 2005, be adopted.
4. That Senate Floor Amendment No. 1 proposed by Senator Jackson and adopted by the Senate on June 9, 2005, be rejected.
5. That the following amendments to the reengrossed bill be adopted:

#### AMENDMENT NO. 1

In Senate Committee Amendment No. 2, on page 1, line 5, after "caregiver" and before "shall" insert a comma ",."

#### AMENDMENT NO. 2

In Senate Floor Amendment No. 2, on page 1, line 5, change "delete" to "after" and after "exemptions" and before "insert" delete "and"

AMENDMENT NO. 3

In Senate Floor Amendment No. 3, on page 1, line 8 after "3," delete the remainder of the line and delete line 9 in its entirety and insert "after line 25 insert the following:"

AMENDMENT NO. 4

In Senate Floor Amendment No. 3, on page 1, at the beginning of line 10 before "A" insert "H."

AMENDMENT NO. 5

In Senate Floor Amendment No. 3, on page 1, at the end of line 14, after "donation," insert the following:

"This Subsection shall apply only to charitable pharmacies operating on or before August 15, 2005."

I. On the first day of every month, each penal institution pharmacy shall submit to the members of the joint committee on the budget a written report of drug donations for the preceding month. Such report shall contain the type, quantity, and source of drugs donated to the penal institution pharmacy."

AMENDMENT NO. 6

On page 1, line 4, after "(F)" change "and "(G)" to ", (G), (H) and (I)"

AMENDMENT NO. 7

On page 1, line 5, after "redispensing;" and before "to allow" insert "to provide for reporting requirements;"

AMENDMENT NO. 8

On page 1, line 11, after "(F)" change "and "(G)" to ", (G), (H) and (I)"

AMENDMENT NO. 9

On page 1, line 14, change "Subsection G" to "Subsections G and H"

Respectfully submitted,

Representative Sydnie Mae Durand  
Representative John LaBruzzo  
Senator Joe McPherson  
Senator Arthur Lentini

Rep. LaBruzzo moved to adopt the Conference Committee Report.

## YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th

Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Cravins  
Curtis  
Damico  
Daniel  
Dartez  
DeWitt  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin

Total - 95

Hutter  
Jefferson  
Katz  
Kennard  
Kenney  
Kleckley  
LaBruzzo  
LaFleur  
LaFonta  
Lambert  
Lancaster  
Marchand  
Martiny  
McDonald  
McVea  
Montgomery

NAYS

Doerge  
Robideaux  
Total - 4

Romero  
Trahan

ABSENT

Crowe  
Geymann  
Total - 5

Jackson  
Johns

St. Germain

The Conference Committee Report was adopted.

**SENATE CONCURRENT RESOLUTION NO. 86—**

BY SENATOR B. GAUTREAUX

**A CONCURRENT RESOLUTION**

To create and provide with respect to the Hospital-acquired Infection Reporting Task Force to study and make recommendations regarding the requirement that all hospitals report the incidence of hospital-acquired infections to the Department of Health and Hospitals.

Read by title.

**CONFERENCE COMMITTEE REPORT**

**Senate Concurrent Resolution No. 86  
by Senator B. Gautreaux**

June 23, 2005

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Concurrent Resolution 86 by Senator B. Gautreaux recommend the following concerning the Engrossed bill:

1. That the House Floor Amendment No. 3 proposed by Representative Lancaster and adopted by the House of Representatives on June 22, 2005 be rejected.
2. That House Floor Amendment No. 1 proposed by Representative Katz is hereby rejected.
3. That House Floor Amendments No.1, 2, 4, 5, and 6 proposed by Representative Lancaster and adopted by the House of Representatives on June 22, 2005 are hereby adopted.

---

## Page 56 HOUSE

36th Day's Proceedings - June 23, 2005

---

4. That House Floor Amendments No. 1, 2, and 3 proposed by Representative Dartez and adopted by the House of Representatives on June 22, 2005 are hereby adopted.
5. That the following amendments to the engrossed bill be adopted:

### AMENDMENT NO. 1

On page 2, line 17, after "that the" delete the remainder of the line and insert "joint committee shall specifically seek the advice, input, and recommendations of the"

### AMENDMENT NO. 2

On page 2, delete lines 19 through 30 and insert the following:

"(1) The president of the Senate, or his designee.

(2) The speaker of the House of Representatives, or his designee.

(3) The chairman of the Senate Committee on Health and Welfare and the chairman of the House of Representatives Committee on Health and Welfare, who shall serve as co-chairmen of the task force.

(4) The secretary of the Department of Health and Hospitals, or his designee.

(5) A representative of the licensing and certification section of the Department of Health and Hospitals who is familiar with the current operation of hospitals, who is to be appointed by the secretary of the department.

(6) A representative of the Louisiana Hospital Association.

(7) A representative of the Metropolitan Hospital Association.

(8) A representative from the Ark-La-Tex Chapter of the Association for Professionals in Infection Control and Epidemiology who is employed in Louisiana.

(9) A representative of Louisiana State University Health Care Services Division-New Orleans.

(10) A representative of Louisiana State University Health Care Services Division-Shreveport.

(11) The state epidemiologist from the infectious disease and epidemiology section of the office of public health of the Department of Health and Hospitals."

### AMENDMENT NO. 11

On page 3, delete lines 1 through 4.

Respectfully submitted,

Senator D. A. "Butch" Gautreaux  
Senator Joe McPherson  
Senator Reggie Dupre  
Representative Charles D. Lancaster, Jr.  
Representative Kay Katz  
Representative Sydnie Mae Durand

On motion of Rep. Lancaster, the Conference Committee Report was adopted.

### **Petitions, Memorials and**

### **Communications**

The following petitions, memorials, and communications were received and read:

### **Message from the Senate**

#### **DISAGREEMENT TO SENATE CONCURRENT RESOLUTION**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Concurrent Resolution No. 35 by Sen. Jones, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Message from the Senate**

#### **DISAGREEMENT TO SENATE CONCURRENT RESOLUTION**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Concurrent Resolution No. 109 by Sen. Ellington, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Message from the Senate**

#### **ADOPTION OF CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Concurrent Resolution No. 71.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### **Message from the Senate**

#### **ADOPTION OF**



**CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Concurrent Resolution No. 86.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**REJECTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has rejected the report of the Conference Committee on the disagreement to Senate Bill No. 3.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 24.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 59.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 89.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 96.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 157.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 205.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**REJECTION TO  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has rejected the report of the Conference Committee on the disagreement to Senate Bill No. 273.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 311.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to Senate Bill No. 351.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 1.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 2.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 33.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 36.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 128.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 187.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 252.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 268.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 271.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 285.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 294.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

---

## Page 60 HOUSE

36th Day's Proceedings - June 23, 2005

---

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 393.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 425.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 428.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 429.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 461.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 505.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### REJECTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has rejected the report of the Conference Committee on the disagreement to House Bill No. 558.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 569.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 631.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 663.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 742.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 755.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 767.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 786.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 789.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

---

## Page 62 HOUSE

36th Day's Proceedings - June 23, 2005

---

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 795.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 835.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 842.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted the report of the Conference Committee on the disagreement to House Bill No. 877.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 147  
Returned without amendments

House Concurrent Resolution No. 217  
Returned without amendments

House Concurrent Resolution No. 218  
Returned without amendments

House Concurrent Resolution No. 219  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 4, 13, 23, 58, 63, 78, 81, 88, 101, 106, 104, 111, 113, 114, 117, 119, 120, 122, 124, 125, 128, 129, 132, 133, 135, 136, 137, 138, 139, 140, and 141

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

### Message from the Senate

#### SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 23, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 24, 59, 89, 96, 157, 185, 205, 255, 256, 311, 318, and 351

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

### Privileged Report of the Committee on Enrollment

June 23, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

#### HOUSE RESOLUTION NO. 120— BY REPRESENTATIVE GALLOT

##### A RESOLUTION

To urge and request the Louisiana Tax Commission to study the issue of ad valorem taxation of motor vehicles, including equipment or machinery permanently or temporarily attached thereto, to promote fair, accurate, and uniform taxation as required by law and to report its findings and make recommendations to the House of Representatives of the Legislature of Louisiana prior to the convening of the 2006 Regular Session.

#### HOUSE RESOLUTION NO. 121— BY REPRESENTATIVE BAYLOR

##### A RESOLUTION

To urge and request the office of the governor to designate a university to study the local economic impact of the film industry in every parish and to report the results to the House of Representatives of the Legislature of Louisiana prior to the convening of the 2006 Regular Session.

#### HOUSE RESOLUTION NO. 122—

BY REPRESENTATIVES MORRELL, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

##### A RESOLUTION

To commend Sibal Holt for her numerous accomplishments and contributions to the state of Louisiana.

#### HOUSE RESOLUTION NO. 123— BY REPRESENTATIVE HONEY

##### A RESOLUTION

To commend and congratulate the Southern University Laboratory School eighth-grade girls basketball team upon winning the 2005 National Middle School Basketball Championship.

#### HOUSE RESOLUTION NO. 124— BY REPRESENTATIVE LABRUZZO

##### A RESOLUTION

To commend Craig Miller, president and chief executive officer of Ruth's Chris Steak House in Metairie, Louisiana, upon being named the 2005-2006 Chairman of the National Restaurant Association.

#### HOUSE RESOLUTION NO. 125— BY REPRESENTATIVE LAFLEUR

##### A RESOLUTION

To recognize July 17 through July 23, 2005, as Louisiana Brangus Week.

#### HOUSE RESOLUTION NO. 126—

BY REPRESENTATIVES CRANE, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BURNS, R. CARTER, CAZAYOUX, DAMICO, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, KLECKLEY, LAMBERT, LANCASTER, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, WOOTON, AND WRIGHT

##### A RESOLUTION

To urge and request the House Committee on Education, jointly with the State Board of Elementary and Secondary Education, to study issues relative to the minimum foundation program formula and to submit a written report of the findings and recommendations to the House of Representatives prior to the convening of the 2006 Regular Session.

#### HOUSE RESOLUTION NO. 127— BY REPRESENTATIVE QUEZAIRE

##### A RESOLUTION

To commend Robert Dimm upon his retirement and the closing of the historic Dimm's Bakery in Donaldsonville.

#### HOUSE RESOLUTION NO. 128— BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH

##### A RESOLUTION

To express the condolences of the House of Representatives upon the death of Jack Sterling Snowdy.

#### HOUSE RESOLUTION NO. 129— BY REPRESENTATIVE JACK SMITH

##### A RESOLUTION

To commend Delta Zeta sorority for its civic contributions, and congratulate them on the success of their local and national programs.

#### HOUSE RESOLUTION NO. 130— BY REPRESENTATIVE GALLOT

##### A RESOLUTION

To express sincere and heartfelt condolences upon the death of Arthur "A. D." Smith, Jr., of Grambling.

#### HOUSE RESOLUTION NO. 131— BY REPRESENTATIVE SALTER

##### A RESOLUTION

To memorialize the members of the United States Senate from Louisiana, Senator Mary Landrieu and Senator David Vitter, to continue to work toward enacting federal legislation to ensure that deserving victims of asbestos exposure receive compensation.

## Page 64 HOUSE

36th Day's Proceedings - June 23, 2005

### **HOUSE RESOLUTION NO. 132—** BY REPRESENTATIVES BURNS AND WINSTON A RESOLUTION

To commend the participants of the Pro-Life Oratory Contest sponsored by St. Tammany Right to Life, particularly Haley Ridgel and Thomas Slattery.

### **HOUSE RESOLUTION NO. 133—** BY REPRESENTATIVES HONEY AND GALLOT A RESOLUTION

To urge and request the Legislative Fiscal Office to study the means and methods used to provide state dollars and other funding for the operation of laboratory schools in Louisiana, including but not limited to issues concerning equity and fairness in funding methods and amounts, and to report study findings and recommendations in writing to the House Committee on Education at least thirty days prior to the 2006 Regular Session of the Legislature.

### **HOUSE RESOLUTION NO. 134—** BY REPRESENTATIVE FANNIN A RESOLUTION

To urge and request the commissioner of administration and the office of planning and budget in the division of administration to develop a plan for returning to certain parishes an amount equal to a significant portion of the avails of severance tax derived from severance in the parish.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

### **Privileged Report of the Committee on Enrollment**

June 23, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

### **HOUSE CONCURRENT RESOLUTION NO. 1—** BY REPRESENTATIVE FARRAR A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

### **HOUSE CONCURRENT RESOLUTION NO. 22—** BY REPRESENTATIVES JEFFERSON AND BURRELL A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Department of Public Safety and Corrections to create a system to notify individuals convicted of a felony who have completed their terms of confinement or parole relative to the reinstatement of voter registration.

### **HOUSE CONCURRENT RESOLUTION NO. 134—** BY REPRESENTATIVE LAFONTA A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue to accept amended income tax returns for certain taxpayers and make refunds to reflect the appropriate amount of exemption for retirement income for certain persons sixty-five years or older.

### **HOUSE CONCURRENT RESOLUTION NO. 147—** BY REPRESENTATIVE BURNS A CONCURRENT RESOLUTION

To urge and request the Department of Labor to allow for the creation and development of e-learning programs for activities allowed under the Incumbent Worker Training Program.

### **HOUSE CONCURRENT RESOLUTION NO. 151—** BY REPRESENTATIVE MORRELL A CONCURRENT RESOLUTION

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the French Quarter of New Orleans.

### **HOUSE CONCURRENT RESOLUTION NO. 179—** BY REPRESENTATIVE GRAY A CONCURRENT RESOLUTION

To continue the work of House Concurrent Resolution No. 289 of the 2004 Regular Session regarding the study of issues relating to juvenile competency by creating a task force and to extend the period of time for the study of such issues to June 1, 2006.

### **HOUSE CONCURRENT RESOLUTION NO. 204—** BY REPRESENTATIVE FRITH A CONCURRENT RESOLUTION

To memorialize the United States Congress to enable Louisiana to receive its appropriate share of revenue received from oil and gas activity on the Outer Continental Shelf.

### **HOUSE CONCURRENT RESOLUTION NO. 205—** BY REPRESENTATIVES WINSTON AND T. POWELL AND SENATOR SCHEDLER A CONCURRENT RESOLUTION

To urge and request the commissioner of administration to develop options for payment of the judgment against the state in "Jean Boudreaux and the Victims of the Flood of April 6, 1983 on the Tangipahoa River v. The State of Louisiana, Department of Transportation and Development, et al."

### **HOUSE CONCURRENT RESOLUTION NO. 206—** BY REPRESENTATIVES GLOVER, ALARIO, ANSARDI, ARNOLD, BARROW, BAUDOUIN, BAYLOR, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CRAVINS, DAMICO, DEWITT, DORSEY, DOVE, DURAND, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, E. GUILLORY, HAMMETT, HEATON, HONEY, HOPKINS, HUTTER, JEFFERSON, KLECKLEY, LAFONTA, LANCASTER, MARTINY, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, STRAIN, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, AND WOOTON A CONCURRENT RESOLUTION

To commend the owner, instructors, and students of Blalock's Professional Beauty College for their efforts in foiling an armed robbery attempt.

### **HOUSE CONCURRENT RESOLUTION NO. 207—** BY REPRESENTATIVE KLECKLEY A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Johnnie Paul Thibodeaux, Jr. of Lake Charles.



**HOUSE CONCURRENT RESOLUTION NO. 208—**

BY REPRESENTATIVE KLECKLEY

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Ruth King White of Lake Charles.

**HOUSE CONCURRENT RESOLUTION NO. 209—**

BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To urge and request the High School Redesign Commission to study the feasibility of establishing a pilot program through which laptop computers would be provided in lieu of textbooks at certain high schools in Orleans Parish and to report its study findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the convening of the 2006 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 210—**

BY REPRESENTATIVE PINAC

**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs to meet and function as a joint committee for the purpose of conducting a thorough study of existing and past programs of the state of Louisiana that encourage and assist the capital investment in Louisiana businesses and to study programs in other states that also encourage and assist in the capital investment in businesses and to make recommendations regarding legislation.

**HOUSE CONCURRENT RESOLUTION NO. 211—**

BY REPRESENTATIVES MONTGOMERY AND DOERGE AND SENATOR ADLEY

**A CONCURRENT RESOLUTION**

To strongly urge and request the Louisiana National Guard to rename Camp Minden, formerly known as the Louisiana Army Ammunition Plant, as Camp Bolin in memory of the Honorable James E. Bolin of Doyline in Webster Parish.

**HOUSE CONCURRENT RESOLUTION NO. 212—**

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA

**A CONCURRENT RESOLUTION**

To commend Molly Causey upon being crowned Miss Louisiana 2005.

**HOUSE CONCURRENT RESOLUTION NO. 213—**

BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A to meet and to function as a joint committee to study and make recommendations with respect to the impact of the current civil justice system on economic development in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 214—**

BY REPRESENTATIVE RICHMOND

**A CONCURRENT RESOLUTION**

To welcome to the 2005 International Legislative Drafting Institute participants to the state capitol and to commend the participants and their respective governments for their investment in the program.

**HOUSE CONCURRENT RESOLUTION NO. 215—**

BY REPRESENTATIVES MCVEA, R. CARTER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO,

SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATOR MARIONNEAUX

**A CONCURRENT RESOLUTION**

To express the condolences and heartfelt sorrow of the legislature upon the death of Louisiana National Guard Sergeant David Joseph Murray of Clinton.

**HOUSE CONCURRENT RESOLUTION NO. 217—**

BY REPRESENTATIVE BURNS

**A CONCURRENT RESOLUTION**

To urge and request the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs to meet and to function as a joint committee to study impediments to the state of Louisiana becoming a retirement destination.

**HOUSE CONCURRENT RESOLUTION NO. 218—**

BY REPRESENTATIVES JACK SMITH, TUCKER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, BURNS, K. CARTER, R. CARTER, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS KOSTELKA AND CAIN

**A CONCURRENT RESOLUTION**

To memorialize the United States Senate to take such actions as are necessary to pass the constitutional amendment banning the desecration of the American flag which was passed by the United States House of Representatives on June 22, 2005.

**HOUSE CONCURRENT RESOLUTION NO. 219—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To urge and request that if the secretary of the Department of Health and Hospitals conducts or contracts for the conduct of any survey of the costs associated with the dispensing of prescriptions in Louisiana, any such survey should contain input from the provider community and should reflect all appropriate costs.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

June 23, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

## Page 66 HOUSE

36th Day's Proceedings - June 23, 2005

### **HOUSE BILL NO. 1—** BY REPRESENTATIVES ALARIO AND TRICHE AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

### **HOUSE BILL NO. 2—** BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

### **HOUSE BILL NO. 33—** BY REPRESENTATIVE MONTGOMERY AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(i) and (ii) and to enact R.S. 40:4(A)(2)(b)(v), relative to the treatment of infectious biomedical waste; to require the certification and testing of all equipment used to treat infectious biomedical waste; and to provide for related matters.

### **HOUSE BILL NO. 36—** BY REPRESENTATIVE FARRAR AND SENATORS CHEEK, MARIONNEAUX, AND NEVERS AN ACT

To enact R.S. 22:215.12 and R.S. 42:808(A)(10), relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; to provide for eligibility for participation in life, health, or other programs sponsored by the Office of Group Benefits; and to provide for related matters.

### **HOUSE BILL NO. 59—** BY REPRESENTATIVE E. GUILLORY AN ACT

To amend and reenact R.S. 37:345(A), 346, 367, and 375(A) and (D), to enact R.S. 37:363(7), and to repeal R.S. 37:354(C), relative to barbers; to provide for compensation for board members; to provide for the qualifications of inspectors; to require continuing education for instructors; to provide for fees; to provide for the issuance of certain certificates of registration; and to provide for related matters.

### **HOUSE BILL NO. 103—** BY REPRESENTATIVE FRITH AN ACT

To enact R.S. 17:3048.1(A)(5), to permit use of Tuition Opportunity Program for Students Opportunity, Performance, and Honors Awards at certain out-of-state nonpublic colleges and universities; to provide conditions for and limitations on such use; to provide relative to award amounts; to provide for an effective date; and to provide for related matters.

### **HOUSE BILL NO. 128—** BY REPRESENTATIVES HAMMETT, PINAC, AND THOMPSON AN ACT

To amend and reenact R.S. 47:301(3)(i)(ii)(bb) and to enact R.S. 47:301(3)(i)(ii)(aa)(I)(ddd), relative to the state sales and use tax; to provide with respect to eligible facilities; to define manufacturer to include certain exemptions for manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

### **HOUSE BILL NO. 194—** BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 33:1423.1, relative to the collection of taxes; to provide that the sheriff may retain private attorney and assess attorney fees and expenses to affected tax recipient bodies; and to provide for related matters.

### **HOUSE BILL NO. 242—** BY REPRESENTATIVE CROWE AN ACT

To amend and reenact R.S. 40:1299.35.7(D), relative to abortion; to provide with respect to the offering of informed consent information in certain cases; to provide for spiritual counseling; and to provide for related matters.

### **HOUSE BILL NO. 249 (Duplicate of Senate Bill No. 33)—** BY REPRESENTATIVE FRITH AND SENATOR THEUNISSEN AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with any permit granted by the Department of Environmental Quality or the office of conservation of the Department of Natural Resources; to provide relative to the authority of the Department of Environmental Quality and the Department of Natural Resources; and to provide for related matters.

### **HOUSE BILL NO. 252—** BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 42:5.1, relative to open meetings; to provide for public comment at meetings of school boards; to exempt certain school boards from requirements relative to public comment at school board meetings; to provide for certain school boards to adopt reasonable procedures relative to public comment at school board meetings, subject to some limitations; and to provide for related matters.

### **HOUSE BILL NO. 268—** BY REPRESENTATIVE BURRELL AN ACT

To amend and reenact R.S. 27:392(B)(2)(a), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Compulsive and Problem Gaming Fund; to provide for an effective date; and to provide for related matters.

### **HOUSE BILL NO. 271—** BY REPRESENTATIVE BAYLOR AN ACT

To amend and reenact R.S. 47:302.2(C)(1)(f) and 332.6(B), relative to the dedication of certain sales tax revenues in the city of Shreveport; to change the dedication and allowable uses of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to provide for an effective date; and to provide for related matters.

### **HOUSE BILL NO. 285—** BY REPRESENTATIVE CRAVINS AN ACT

To amend and reenact R.S. 32:171(F)(1) and (2) and 175(C) and to enact R.S. 32:175(D) and R.S. 48:393, relative to penalties for failing to stop at certain railroad grade crossings; to increase the fines for certain railroad grade crossing violations; to provide relative to penalties for certain violations; to require the suspension of driving privileges under certain circumstances; to

provide relative to the disposition of a certain portion of penalties for certain railroad grade crossing violations; to create the Railroad Crossing Safety Fund; to provide relative to the administration and use of monies deposited into such fund; and to provide for related matters.

**HOUSE BILL NO. 294—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 2:135.1(A)(4), relative to the lease of certain airport facilities at the Natchitoches Regional Airport; to exempt leases from provisions on leases of public lands; to require the governing authority of certain airports to meet certain requirements; and to provide for related matters.

**HOUSE BILL NO. 369—**

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, HAMMETT, AND KATZ AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

**HOUSE BILL NO. 371—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 27:302(A)(5)(j) and (o), 306(A)(4)(c)(iv), and 311.1(B)(3) and to enact R.S. 27:311.8, relative to the Video Draw Poker Devices Control Law; to remove requirements that qualified truck stop facility fuels sales comply with provisions providing for unfair sales and practices and the consumer protection law for the purposes of meeting fuel facility criteria for a qualified truck stop licensed to operate video draw poker devices; to provide relative to the requirements for retention of printed ticket vouchers; to provide for an exception to the requirement that video draw poker devices be connected to a central computer system if that system is not operational; to provide that designated representatives are only required for certain licensed establishments; to provide for the operation of video draw poker devices in certain parishes not affected by change of parish boundaries; and to provide for related matters.

**HOUSE BILL NO. 393—**

BY REPRESENTATIVES BRUNEAU, ALARIO, LANCASTER, AND SCALISE AND SENATORS MURRAY AND HOLLIS  
AN ACT

To enact R.S. 27:392(C), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the dedication of the revenues derived pursuant to the Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish certain special funds in the state treasury and to provide for the deposit and use of monies in the funds; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 423—**

BY REPRESENTATIVES BRUNEAU, LANCASTER, PITRE, JEFFERSON, LAFONTA, CAZAYOUX, AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 18:3(C), 110(B)(3), 115(F), 423(D), 493, 533(D), 566.2(B), 573(A)(3) and (D), 591, 601, 602(A), (B), (C), (E)(2)(a), and (F), 604(B)(1) and (2)(a), 621(A)(2), 1307(B)(2), (D), and (E), 1309(D)(1), 1309.1(A), 1311(D)(1), 1314, 1373(A)(1), 1400.3(D)(1), and 1402(A), (B)(1), and (C) and to enact R.S. 18:502.1, 1307(F), 1461(A)(23), and 1485(D), relative to the Election Code; to provide for the verification by registrars of voters of signatures on petitions; to provide relative to when a change in registration becomes effective after a voter

changes his residence; to provide relative to the manner of qualifying for certain offices; to provide for students at an institution of higher learning outside of their parish of residence to register to vote absentee by mail and to vote as such without first appearing in the office of the registrar; to provide for a person who appears in the office of the registrar to establish his identity prior to the absentee in person voting period to vote absentee by mail; to provide relative to the personnel of certain parish boards of election supervisors; to specify the deadline for objections to candidacy; to provide relative to payment for use of private property as a polling place; to require the appropriate clerk of court to provide notice at the appropriate polling places of a candidate who has withdrawn but whose name appears on the ballot; to provide relative to the use of absentee commissioners or commissioners for the counting and tabulation of provisional ballots; to provide relative to the procedures for the opening and inspection of voting machines before and after the election; to provide relative to the deadlines for making appointments and issuing proclamations to fill vacancies in certain offices; to provide relative to selecting an election date for filling a vacancy in the office of constable or marshal; to provide relative to the deadline for submitting an application to vote by mail for certain hospitalized persons and the handling of such voters' absentee ballots; to provide relative to compensation of certain temporary employees in the registrars' offices; to provide relative to identification of voters who vote absentee in person; to provide relative to proper parties to objections to candidacy and election contests; to provide for an election offense relative to the untimely submission of voter registration applications; to provide relative to campaign finance filings submitted to the supervisory committee; and to provide for related matters.

**HOUSE BILL NO. 425—**

BY REPRESENTATIVE TRAHAN  
AN ACT

To amend and reenact R.S. 28:63(A) and (C) and to enact R.S. 28:53(N) and (O), 53.2(G), and 54(E), relative to civil commitments; to provide for limitations of liability for public and private general hospitals and their personnel; and to provide for related matters.

**HOUSE BILL NO. 428—**

BY REPRESENTATIVES PIERRE AND THOMPSON AND SENATORS CAIN, CRAVINS, DUPRE, ELLINGTON, N. GAUTREAUX, KOSTELKA, MALONE, MICHOT, MOUNT, MURRAY, ROMERO, SMITH, AND THEUNISSEN  
AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 429—**

BY REPRESENTATIVES HONEY, BADON, BURRELL, K. CARTER, CRANE, CURTIS, DEWITT, FAUCHEUX, GRAY, JEFFERSON, MCDONALD, ODINET, AND M. POWELL  
AN ACT

To amend and reenact R.S. 17:54(B)(1) and (C), relative to local public school superintendents; to provide relative to qualifications; to provide for the initial employment of a superintendent of schools by a city, parish, or other local public school board and for the employment of the superintendent for a subsequent term; to provide relative to written employment contracts for such purposes, including guidelines for the content

of such contracts; to provide relative to superintendents who choose not to enter into subsequent contracts; to provide relative to termination of employment, including specifying grounds for such removal during the term of a contract, time lines, and guidelines for the giving of notice of termination, and the use of certain due process procedures; to provide for the negotiation and offering by a school board of a new contract at the expiration of an existing contract; to provide for exceptions; to provide for applicability; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 461—**

BY REPRESENTATIVES ALARIO AND TRICHE AND SENATOR ROMERO

AN ACT

To amend and reenact R.S. 39:100.21, to enact R.S. 17:421.12, R.S. 39:1496.1(E)(3)(c) and 46:2691(B)(1)(f), and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 462—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, RITCHIE, GARY SMITH, WALSWORTH, WHITE, WINSTON, AND THOMPSON AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 51:3052(2) and (3), 3053(2), (5), and (6), 3054(C), 3055(introductory paragraph) and (16) and (21) and to enact R.S. 51:3054(B)(4), relative to the Louisiana Major Project Development Authority; to provide for certain project thresholds; to provide relative to certain legislative findings; to provide certain definitions; to provide certain terms, conditions, procedures, and requirements; to authorize the creation of an executive committee of the board of directors; and to provide for related matters.

**HOUSE BILL NO. 505—**

BY REPRESENTATIVES JACK SMITH, HUTTER, DOERGE, HEBERT, AND THOMPSON AND SENATORS ADLEY, BOASSO, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JONES, KOSTELKA, MALONE, MARIONNEAUX, MCPHERSON, MURRAY, NEVERS, ROMERO, SHEPHERD, SMITH, AND ULLO

AN ACT

To amend and reenact R.S. 17:3217.1(A)(8) and (9) and to enact R.S. 17:3217.1(A)(10) and (11) and (C), relative to higher education; to provide relative to the planning for and organization of a certain postsecondary education system; to provide relative to budget requests for certain postsecondary education agencies; and to provide for related matters.

**HOUSE BILL NO. 528—**

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOE AND HINES

AN ACT

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 542—**

BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY, AND MORRISH AND SENATORS MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(25) and 4574.11(B)(1), (C), and (E)(2) and to enact R.S. 33:4574.1.1(O) and (P), relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the governing authority of the bureau to increase the hotel occupancy tax; to provide relative to the use of certain proceeds resulting from the increase in the rate of the tax; to provide with respect to the tax on complimentary hotel rooms; to further provide with respect to the governing authority of the bureau and its membership; and to provide for related matters.

**HOUSE BILL NO. 569—**

BY REPRESENTATIVE BAUDOIN

AN ACT

To enact R.S. 47:463.129 and 463.130, relative to motor vehicle prestige license plates; to provide for the creation of a Ladies Auxiliary, V. F. W. prestige license plate and a Children's Bureau prestige license plate; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for disbursement of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 627—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, AND SCALISE AND SENATORS HINES, BAJOE, HEITMEIER, MOUNT, DUPRE, AND NEVERS

AN ACT

To enact R.S. 47:6020 through 6020.4, to establish the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide for qualifications for the credit; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

**HOUSE BILL NO. 631—**

BY REPRESENTATIVES K. CARTER, HEATON, RICHMOND, FAUCHEUX, AND SCALISE AND SENATOR BAJOE

AN ACT

To enact R.S. 47:6020, relative to tax credits; to authorize a sound recording investor tax credit against individual and corporation income taxes; to provide for certain procedures and collection; and to provide for related matters.

**HOUSE BILL NO. 659—**

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 39:1405(D), relative to the negotiated sales of bonds, notes, or certificates of the state and its boards, departments, commissions, authorities, and agencies; to provide for a priority order period for Louisiana retail purchasers of state bonds sold through negotiated sale; and to provide for related matters.

**HOUSE BILL NO. 663—**

BY REPRESENTATIVES GLOVER, BAYLOR, BOWLER, BRUCE, BURRELL, AND JACK SMITH AND SENATORS BAJOE, BROOME, CHAISSON, CHEEK, DARDENNE, DUPRE, FIELDS, B. GAUTREAUX, HEITMEIER, JACKSON, JONES, MARIONNEAUX, MURRAY, AND SHEPHERD

AN ACT

To enact R.S. 15:572.8 and Code of Civil Procedure Article 87, relative to wrongful conviction and imprisonment; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide for the funding of annuity contracts in certain circumstances; to provide procedures for

filing an application; to provide for the period of time in which the application shall be filed; to provide with respect to venue; and to provide for related matters.

**HOUSE BILL NO. 672—**

BY REPRESENTATIVES MONTGOMERY AND HOPKINS  
AN ACT

To amend and reenact R.S. 47:635(A) and 640(A) and (B) and to enact R.S. 47:1520(A)(3), relative to the severance tax on oil and gas; to extend the tax return and payment due dates; to provide for a one-time payment of the oil and gas severance tax; to repeal the electronic funds transfer requirements; to require oil or gas severance tax reports to be filed electronically; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 675—**

BY REPRESENTATIVE BEARD AND SENATORS CAIN, NEVERS, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:1299.58.2(14) and (15) and 1299.58.3(C)(1) and (3) and to enact R.S. 40:1299.58.2(16) and 1299.58.10(E), relative to living wills; to affirm the dignity of human life; to define spouse; to provide for the illustrative form; and to provide for related matters.

**HOUSE BILL NO. 679—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HOPKINS, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MCVEA, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS HINES, BAJOEI, HEITMEIER, MOUNT, AND NEVERS  
AN ACT

To amend and reenact R.S. 47:287.92(B), 287.93(A), 287.95(F)(2), 287.738(A), and 606(A)(3), to enact R.S. 47:287.94(H) and 287.738(F), and to repeal R.S. 47:287.71(A)(1) and (2), 287.73(C)(1), 287.95(E), and 287.750, relative to the corporation income tax; to provide for a deduction for interest and dividends; to provide for a single factor apportionment formula for corporation income and franchise tax purposes for certain businesses; to provide for apportionment of profits and losses from sales or exchanges of property not made in the regular course of business; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 684—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:6015(B), (C)(1) and (2), (D), (F)(introductory paragraph) and (3), (G), and (H)(1) and to enact R.S. 47:6015(C)(5)(a)(iv), (F)(4), and (I), relative to exemptions from state taxes; to provide relative to the research and development tax credit; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 689—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative to insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

**HOUSE BILL NO. 697—**

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOEI, MOUNT, AND HEITMEIER  
AN ACT

ToTo enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025, and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

**HOUSE BILL NO. 721—**

BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest on unpaid taxes; to provide the method of interest computation on notices of assessment for unpaid taxes; to provide for the authority of the secretary to abate interest attributable to unreasonable delays; to provide for the authority of the secretary to provide by rule for the compromise the amount of interest due; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 731—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY AND SENATORS HINES, BAJOEI, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10), 1125.1(F), and 6007(C)(4)(f) and (6), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 741—**

BY REPRESENTATIVES DURAND AND BALDONE  
AN ACT

To amend and reenact R.S. 47:305.10(F) and to enact R.S. 47:301(10)(y) and (18)(k), relative to the sales and use tax; to provide for the exemption from taxation for certain repairs to property used in offshore areas; to provide an exclusion from such state and local tax for certain transactions related to textbooks and course-related software for postsecondary education; and to provide for related matters.

**HOUSE BILL NO. 742—**

BY REPRESENTATIVES K. CARTER, GRAY, JEFFERSON, ARNOLD, BADON, BURNS, HEATON, HUTTER, MARCHAND, RICHMOND, SCALISE, SHEPHERD, AND WINSTON AND SENATORS DUPLESSIS AND MURRAY  
AN ACT

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.66, and to repeal R.S. 36:109(M) and Part III of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:811 through 813.1, relative to the Greater New Orleans Biosciences Economic Development District; to facilitate public and private research functions in the district; to create and provide for such district and its board of commissioners and their powers, duties, functions, and responsibilities; to repeal provisions providing for the Louisiana Biomedical Research and Development Park Commission; and to provide for related matters.

**HOUSE BILL NO. 747—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:301(13)(d) and (18)(d)(ii) and (iii), to define "sales price" for refinery gas sold to another person; and to provide for related matters.

## Page 70 HOUSE

36th Day's Proceedings - June 23, 2005

### HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATORS DUPLESSIS AND SCHEDLER  
AN ACT

To enact Part XII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; to provide for the use of fee proceeds; and to provide for related matters.

### HOUSE BILL NO. 750—

BY REPRESENTATIVE HUTTER  
AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts; to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

### HOUSE BILL NO. 762—

BY REPRESENTATIVE STRAIN  
AN ACT

To amend and reenact R.S. 27:44(introductory paragraph) and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non-certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

### HOUSE BILL NO. 767—

BY REPRESENTATIVES GLOVER AND BRUCE  
AN ACT

To enact R.S. 14:103.1(D) and (E), relative to the emanation of excessive sound or noise; to provide for the surrender of driver's license upon conviction and court order; to authorize local governing authorities to adopt ordinances to provide for the regulation of the emanation of excessive sound or noise; and to provide for related matters.

### HOUSE BILL NO. 769—

BY REPRESENTATIVE CRAVINS  
AN ACT

To amend and reenact R.S. 15:1186(B)(2)(d)(i) and to enact R.S. 15:574.11(C) and (D), relative to judicial review of parole revocation decisions; to provide for appellate jurisdiction and procedure in district court for pleadings alleging a denial of a revocation hearing; to provide for a peremptive period; to provide for service of process; and to provide for related matters.

### HOUSE BILL NO. 786—

BY REPRESENTATIVE SALTER  
AN ACT

To enact Chapter 51 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3075 through 3088, relative to the Louisiana Community Development Financial Institution Act; to provide for a credit against income and franchise taxation; to provide for certification and decertification of a Louisiana Community Development Financial Institution; to provide for an effective date; and to provide for related matters.

### HOUSE BILL NO. 789—

BY REPRESENTATIVE DANIEL  
AN ACT

To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9581, relative to public contracts; to authorize certain political subdivisions to enter into agreements for the maintenance and operation of public facilities related to sewerage and nonpotable water treatment systems; to provide with respect to the content of such contractual agreements; to provide for the disposition and allocation of revenues and assets; to provide for the pledge of revenues; to provide certain immunities from liability; to

provide for limitation of liability; and to provide for related matters.

### HOUSE BILL NO. 795—

BY REPRESENTATIVES HAMMETT, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BURNS, BURRELL, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MONTGOMERY, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, SHEPHERD, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, GARY SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS BAJOEI, HINES, MICHOT, MOUNT, AND NEVERS  
AN ACT

To amend and reenact R.S. 47:3201 through 3205 and 4301 through 4306, relative to contracts with the Board of Commerce and Industry and manufacturing establishments; and to provide for related matters.

### HOUSE BILL NO. 796—

BY REPRESENTATIVES MORRELL AND THOMPSON  
AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; to provide for certain limitations on property transfers; and to provide for related matters.

### HOUSE BILL NO. 797—

BY REPRESENTATIVES BEARD AND FAUCHEUX AND SENATORS BROOME AND DARDENNE  
AN ACT

To enact Subpart C of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3398.10 through 3398.14; to provide for the establishment of one or more film institutes; to provide for the powers, duties, functions, and governance of the institutes; to provide for an effective date; and to provide for related matters.

### HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON  
AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

### HOUSE BILL NO. 835—

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to the severance tax; to exempt from the severance tax certain production on wells; to provide for an effective date; and to provide for related matters.

### HOUSE BILL NO. 841—

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2005-2006; and to provide for related matters.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; to establish certain special treasury funds; and to provide for related matters.

**HOUSE BILL NO. 858—**

BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOE, JONES, AND HEITMEIER  
AN ACT

To appropriate funds for Fiscal Year 2005-2006 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

**HOUSE BILL NO. 862—**

BY REPRESENTATIVE BURRELL  
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808, to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVES GRAY AND RICHMOND  
AN ACT

To enact Chapter 26-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9017.1, relative to the funding of juvenile facilities, programs, and services in the parish of Orleans; to provide for the imposition and collection of taxes and for the use thereof; to create and provide with respect to a special juvenile services financing district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; and to provide for related matters.

**HOUSE BILL NO. 877—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 38:291(B)(2), relative to the Bossier Levee District; to provide for an increase in the membership of the district; to provide for the appointing authority; to provide for the term of the additional member; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Privileged Report of the Committee on Enrollment**

June 23, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

**HOUSE BILL NO. 187—**

BY REPRESENTATIVES ARNOLD, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DARTEZ, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GREENE, HAMMETT, HEATON, HEBERT, HILL, HUTTER, JACKSON, KATZ, KENNEY, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, AND WALSWORTH

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 21(E) of the Constitution of Louisiana, to remove prohibition against extending ad valorem tax exemption for motor vehicles to taxes levied by a municipal governing authority or a district created by such authority; to exempt motor vehicles from municipal ad valorem taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Motion**

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Governor that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Karen Carter, Crane, Glover, Pierre, and Walker.

**Motion**

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Senate that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Cravins, Fannin, Morrish, Schneider, and Winston.

**Committee from the Senate**

A special committee from the Senate notified the House that the Senate has completed its labors and is prepared to adjourn *sine die*.

The Speaker thanked and dismissed the committee.

**Reports of Special Committees**

The special committee appointed to notify the Governor that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The Speaker thanked and discharged the committees.

**Adjournment**

---

## Page 72 HOUSE

36th Day's Proceedings - June 23, 2005

---

On motion of Rep. Kenney, at 6:00 P.M., the House agreed to adjourn *sine die*.

ALFRED W. SPEER  
Clerk of the House

---